

# Washington, Wednesday, December 15, 1943

# The President .

### **EXECUTIVE ORDER 9401**

SUSPENSION OF EIGHT-HOUR LAW AS TO
LABORERS AND MECHANICS EMPLOYED BY
THE DEPARTMENT OF AGRICULTURE, INCLUDING THE WAR FOOD ADMINISTRATION

WHEREAS the Department of Agriculture, including the War Food Administration, is engaged in public-work activities within the United States which are essential to the prosecution of the war; and

WHEREAS there exists an acute shortage of laborers and mechanics; and

WHEREAS the efficient and speedy accomplishment of such activities requires that laborers and mechanics therefor be employed in excess of eight hours a day; and

WHEREAS, by section 1 of the act of August 1, 1892, 27 Stat. 340, as amended by the act of March 3, 1913, 37 Stat. 726 (U.S.C., title 40, sec. 321), the services of all laborers and mechanics employed by the Government of the United States upon any public work of the United States is limited to eight hours in any one calendar day, except in case of extraordinary emergency; and

WHEREAS I find that by reason of the foregoing an extraordinary emergency exists:

NOW, THEREFORE, by virtue of the authority vested in me by section 1 of the said act of August 1, 1892, as amended by the said act of March 3, 1913, and as President of the United States, I hereby suspend for the duration of the emergencies proclaimed by me on September 8, 1939, and May 27, 1941, the above-mentioned provisions of law prohibiting more than eight hours of labor in any one day by laborers and mechanics employed by the Government of the United States as to all-work performed by laborers and

mechanics employed by the Department of Agriculture, including the War Food Administration, on any public work within the United States which is designated by the Secretary of Agriculture or the War Food Administrator as essential to the prosecution of the war: Provided, That the wages of all laborers and mechanics so employed by the Department of Agriculture, including the War Food Administration, shall be computed on a basic day rate of eight hours of work with overtime to be paid at time and one-half for all hours of work in excess of eight hours in any one day.

# FRANKLIN D ROOSEVELT

THE WHITE House,
December 7, 1943.

[F. R. Doc. 43-19912; Filed, December 14, 1943; 10:20 a. m.]

# **EXECUTIVE ORDER 9402**

DESIGNATING DR. R. R. SAVERS, DIRECTOR OF THE BUREAU OF MINES, TO ACT AS UNDER SECRETARY, FIRST ASSISTANT SECRETARY OF ASSISTANT SECRETARY OF THE INTERIOR

By virtue of the authority vested in me by section 179 of the Revised Statutes (U.S.C., title 5, sec. 6), I hereby authorize and designate Dr. R. R. Sayers, Director of the Bureau of Mines of the Department of the Interior, when so directed by the Secretary of the Interior, to perform the duties of the Under Secretary of the Interior, or the First Assistant Secretary of the Interior, or the Assistant Secretary of the Interior, during the absence or sickness of the Under Secretary, or the First Assistant Secretary, or the Assistant Secretary of the Interior.

FRANKLIN D ROOSEVELT

THE WHITE House,
December 7, 1913

[F. R. Doc. 43-19913; Filed, December 14, 1943; 10:20 a. m.]

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<sup>&</sup>lt;sup>1</sup>4 F.R. 3851.

<sup>&</sup>lt;sup>2</sup>6 F.R. 2617.

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#### NOTICE

Book 1 of the Cumulative Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy. This book contains all Presidential documents issued during the period from June 2, 1938, through June 1, 1943, together with appropriate tables and index.

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# TITLE 6-AGRICULTURAL CREDIT.

Chapter II—War Food Administration (Commodity Credit)

[Apple Program, Form 1, Amdt, 1]

PART 242—APPLE FREIGHT EQUALIZATION PAYMENT PROGRAM

Offer of Commodity Credit Corporation to make payments in respect of certain shipments of apples from Washington, Oregon and western Idaho.

In order to encourage and maintain equitable distribution of apples to all consuming areas and to return to the growers in Washington, Oregon and Western Idaho, a price equivalent to that obtained by producers of apples in other producing districts on a basis consistent with the maintenance of price ceilings with respect to such apples, Commodity Credit Corporation (herein called "Commod-ity"), a corporate agency of the United States of America, hereby offers to make freight equalization payments to eligible shippers of eligible apples shipped from Washington, Oregon, and Western Idaho for the benefit of whosoever shall pay the transportation charges thereon, in the manner, to the extent, and subject to the terms and conditions specified in this offer:

Sec. 242.1 Eligible shippers. Eligible apples. Rates of payment. Prerequisites to payment. 242.2 242.3 242,4 242.5 Payment. 242.6 Assignments. 242.7 Books and records. 242.8 Term of offer. 242.9 Termination. Right to declare applications for payment invalid. 242.11 Instructions and interpretations. 242,12 Definitions.

242.13 Delegation.

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Sec.
242.14 Correspondence.
242.15 Benefits.
242.16 Effective date.
242.17 Rescission.

AUTHORITY: §§ 242.1 to 242.17, inclusive, issued under sec. 7, 49 Stat. 4, as amended by 50 Stat. 5, 53 Stat. 510, 55 Stat. 498, and Pub. Law 151, 78th Cong.

§ 242.1 Eligible shippers. Payments under this offer shall be available, upon compliance with the terms and conditions specified herein, to shippers of eligible apples (such shippers being herein called "Eligible shippers").

\*§ 242.2 Eligible apples. The term "eligible apples", as used herein, means and includes all apples grown in Zone VI and shipped, during the term of this offer, from a point or points in Zones I, II, III, or IV, in respect of shipments on which the lowest applicable freight rate per hundredweight is \$1.00 or more and utilized for domestic civilian non-governmental

consumption other than for conversion into an alcoholic product for sale (each such shipment of eligible apples being herein called an "eligible shipment"), except: (a) Lady apples and all varieties of crab apples; (b) apples heretofore or hereafter released pursuant to Food Distribution Order 69 (8 F.R. 10477); and (c) apples restricted from shipment under Food Distribution Order 83 (8 F.R. 13379).

§ 242.3 Rates of payment. The rate of payment hereunder per wrapped box, or per hundredweight of bulk or loosepacked or nonstandard wrapped boxed apples, as the case may be, included in any eligible shipment arriving at destination in Zones I, II, III, or IV on or subsequent to the effective date hereof, shall be determined in accordance with the following schedule upon the basis of the lowest applicable freight rate per hundredweight from the point of shipment in Zone VI to such point or points of destination in Zones I, II, III or IV as defined herein, respectively:

TO ZONE I

Lowest applicable freight rate per cwt. (exclusi protective services)  Equalization payment per standard wrapped be Equalization payment per cwt.	)ZZ		\$1.05 .41 .82	\$L	13 15 25	1.15 -49 -02	81.00 475 57	\$1,25 .71 1.62
	То 2	one II						
Lowest applicable freight rate per cwt. (exclusive of taxes and protective services)  Equalization payment per standard wrapped box  Equalization payment per cwt.	\$1.00 .215 .43	\$1.05 .24 .45	\$1.13 :23 :16	\$L15 .29 .63	\$1.23 .315 .83	81.23 83.	81.83 .33 .73	\$1.43 .415 .83

To	ZONES	щ	AND	IV
----	-------	---	-----	----

Lowest applicable freight rate per cwt, (exclusive of taxes and protec- tive services) Equalization payment per standard	\$1.00	\$1.05
Equalization payment per standard wrapped box Equalization payment per cwt	.04	.065

The corresponding rates of payment in respect of eligible apples included in any eligible shipment which has arrived or arrives at destination in Zone I or Zone II on or after October 17, 1943 and up to but not including the effective date hereof where the lowest applicable freight rates (exclusive of taxes and protective services) are as hereinafter specified shall be as follows:

#### . To Zone I

	,	
0	Lowest applicable freight rate per cwt. (ex- clusive of taxes and protective services) Equalization payment per standard wrapped box	\$L 13
	Equalization payment per cwt	.63

# To Zone II

Lowest applicable freight rate per cwt. (exclusive of taxes and protective services).  Equalization payment per standard wrapped box.  Equalization payment per cwt	\$1, 13 • 23 • 52	\$1.49 .835 .79

The rates of payment specified in § 242.3 of the Offer of Commodity Credit Corporation to make Apple Freight Equalization Payments (8 F.R. 14878), issued October 22, 1943, shall continue to apply in respect of the eligible ship-

ments referred to therein arriving at destination prior to the effective date of this amended offer.

§ 242.4 Prerequisites to payment. Payments hereunder shall be made only to eligible shippers who (a) file applications for payment, in such form as may be prescribed by Commodity, with Commodity prior to September 30, 1944, and (b) supply, with and in respect of each such application for payment, such substantiating documents and proofs as Commodity may require, including (to the extent not waived by Commodity) the originals or properly certified copies of each of the following, in form and substance satisfactory to Commodity: (1) Bill of lading; (2) shipping invoice; (3) standard confirmation of sale; (4) purchaser's certificate; (5) inspection certificate, insofar as required under Food Distribution Order 83: and (6) paid freight bill.

§ 242.5 Payment. Commodity shall, as soon as practicable after receipt of each such application for payment, make payment thereon (if found to be in conformity with this offer) to the appropriate eligible shipper, in trust, for payment over immediately to whosoever shall have paid the shipping charges on the eligible shipment or eligible shipments covered by such application for payment. The making of any such payment shall not constitute final acceptance of the validity or amount of the claim represented by the application for payment.

In the event of a subsequent finding that any such claim is invalid, defective

or incorrectly computed or, if the eligible shipper does not comply with the terms of this offer in respect of paying such proceeds over to whosoever shall have paid the transportation charges on any eligible shipment involved, Commodity shall have the right to require restitution of any such payment or any part thereof, such right being in addition to any and all other rights of Commodity in the premises. In the event an eligible shipper shall, in respect of any shipment upon which application for payment is filed hereunder, violate any of the terms and conditions of this offer, such eligible shipper may, at the election of Commodity, be barred from making any application for payment hereunder in respect of any shipment made subsequent to the giving of notice by Commodity of such election by Commodity.

§ 242.6 Assignments. Payments hereunder will be made only to the eligible shipper. No claim hereunder or any part thereof shall be assignable without the written consent of Commodity.

§ 242.7 Books and records. All eligible shippers shall maintain complete and accurate books, records, and accounts with respect to all eligible shipments made by them and of the disposition of the proceeds of payment received by them from Commodity hereunder. All such books, records, and accounts shall be carefully preserved for a period of not less than two (2) years and shall be available for inspection by Commodity or its designated agents or representatives at any reasonable time.

§ 242.8 Term of offer. This offer as herein amended shall apply to all eligible shipments by eligible shippers arriving at destinations in Zones I, II, III, and IV on or after the effective date hereof, and up to and including July 31, 1944 (unless this offer is terminated earlier pursuant to § 242.9 hereof).

§ 242.9 Termination. Commodity reserves the right to amend or terminate this offer, in whole or in part, at any time by giving public notice of such amendment or termination. The issuance by Commodity or War Food Administration of a press release or the filing of the amendment or notice of termination with the Federal Register shall constitute sufficient public notice of any amendment or termination of this offer. Any such amendment or termination shall not preclude the subsequent filing of applications for payment by and the making of payments to eligible shippers in respect of eligible shipments made on or before the date of such amendment or termination: Provided, That such application for payment is made within 90 days after the date of such amendment or termination.

§ 242.10 Right to declare applications for payment invalid. Commodity shall have the right to declare invalid, in whole or in part, any application for payment hereunder in the event such application for payment is not in conformity with this offer.

§ 242.11 Instructions and interpretations. Commodity shall have the right to supplement or clarify any provision or provisions of this offer or alter any procedure prescribed herein at any time by the issuance of instructions or interpretations in connection therewith.

§ 242.12 Definitions. For the purpose

of this offer:

(a) The term "Western Idaho" means the Counties of Valley, Boise, Elmore, Idaho and Owyhee, in the State of Idaho, and all counties lying to the West and North thereof in said-State;
(b) The term "Zone VI" means and

includes Western Idaho and the States

of Washington and Oregon;

(c) The .term "shipper" means any person who ships apples, except as a carrier of apples owned by other persons:

(d) The term "box" means: (1) A standard western box of the following dimensions (inside measurements):  $10\frac{1}{2}$ " x  $11\frac{1}{2}$ " x 18"; or (2) a container of equivalent content; or (3) two standard western half boxes of the following dimensions (inside measurements) each: 5¼" x 11½" x 18";

- (e) The term "Zone I" means and includes Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, District of Columbia, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Kentucky, all counties in Michigan east of Lake Michigan, the following counties, in Wisconsin: Washington, Columbia, Vernon, Sauk, Dodge, and Ozaukee and all counties in Wisconsin south of said counties, the following counties in Missouri: Clark, Lewis and Marion, the following counties in Georgia: Effingham and Chatham, and the following counties in Tennessee: Scott, Morgan, Roane, Loudon, and Monroe and all counties in Tennessee east of said counties;
- (f) The term "Zone II" means and includes Minnesota, Iowa, Florida, Alabama, Mississippi, Arkansas, those counties in Michigan, Wisconsin, Missouri, Georgia and Tennessee not included in Zone I, the following counties in Nebraska: Dakota, Thurston, Burt, Washington, Sarpy, and Douglas, the county of Wyandotte in Kansas, and the following parishes in Louisiana: Pointe Coupee, St. Martin, and Iberia and all parishes in Louisiana east of said parishes;
- (g) The term "Zone III" means and includes North Dakota, South Dakota, those counties in Nebraska and Kansas and those parishes in Louisiana not included in Zone II, all counties in Oklahoma except Cimarron, Texas, and Beaver, and the following counties in Texas: Hardeman, Foard, Knox, Haskell, Jones, Taylor, Runnels, Concho, Menard, Kimble, Edwards, and Kinney and all counties east thereof.

(h) The term "Zone IV" means and includes Wyoming, Colorado, New Mexico, Arizona, the following counties in Utah: Daggett, Grand, San Juan, and Uintah; the following counties in Oklahoma: Cimarron, Texas, and Beaver, and those counties in Texas not included in Zone

§ 242.13 Delegation. Any act, approval, direction or determination provided in the offer to be made by Commodity may be delegated by Commodity to any agent, representative, or agency to act in its place and stead or for its account.

§ 242.14 Correspondence. All correspondence, applications for payment, substantiating documents, and notices required or permitted to be sent or made to or filed with Commodity pursuant to this offer shall, unless and until Com-modity shall otherwise prescribe, be sent or made to or filed with Fruit and Vegetable Branch, Food Distribution Administration, 210 Mayer Building, Portland, Oregon.

§ 247.15 Benefits. No member of or delegate to the Congress of the United States shall be admitted to any share or part of this offer or to any benefit to arise herefrom but this provision shall not be construed to extend to benefits arising from this offer if accruing to a corporation.

§ 242.16 Effective date. This amended offer shall be effective December 13, 1943, at 12:01 a.m., eastern war time.

§ 242.17 Rescission. The offer of -Commodity Credit Corporation to Make Apple Freight Equalization Payments (8 F.R. 14878), issued October 22, 1943, is hereby terminated and rescinded except in respect of eligible shipments made thereunder arriving at destination in Zone I or Zone II prior to the time that this amended offer becomes effective.

Issued at Washington, D. C., December 13, 1943.

[SEAL] '

COMMODITY CREDIT CORPORATION. By J. B. Hutson, President.

Attest:

ZELMA DAVIS, Assistant Secretary.

[F. R. Doc. 43-19899; Filed, December 13, 1943; 4:10 p.m.]

# TITLE 7—AGRICULTURE

Chapter VII-War Food Administration (Agricultural Adjustment)

PART 724—BURLEY TOBACCO

RESULTS OF REFERENDUM

Results of burley tobacco marketing quota referendum for three marketing years beginning October 1, 1944.

Pursuant to the authority vested in the Secretary of Agriculture by section 312 of the Agricultural Adjustment Act of 1938, as amended, and in the War Food Administrator by Executive Order No. 9322 as amended by Executive Order No. 9334, it is hereby proclaimed that:

§ 724.602 Results of referendum. In a referendum of farmers engaged in the production of the 1943 crop of Burley tobacco held October 23, 1943, 123,559 farmers voted. Of those voting, 114,667 or 92.8 percent favored quotas for a period of three years beginning October 1, 1944; 2,554 or 2.1 percent favored quotas for one year beginning October 1, 1944;

and 6.338 or 5.1 percent were opposed to quotas. Therefore, the national marketing quota of 404,460,000 pounds proclaimed by the War Food Administrator on October 6, 1943, for Burley tobacco for the 1944-45 marketing year will be in effect and marketing quotas will be in effect for the three marketing years beginning October 1, 1944.

(52 Stat. 46, 54 Stat. 392; 7 U.S.C., Supp. V, 1312; E.O. 9322 and E.O. 9334, 54 Stat.

Done at Washington, D. C., this 14th day of December, 1943.

WILSON COWEN, Assistant War Food Administrator.

[F. R. Doc. 43-19938; Filed, December 14, 1943; 11:24 a. m.]

Chapter X-War Food-Administration (Production Orders)

[FPO 14, Supp. Order 6]

PART 1202-FARM MACHINERY AND EQUIPMENT

NEW SHEET METAL WATER WELL CASING

§ 1202.451 Purpose of this supplementary order. This supplementary order explains the procedure to be followed in rationing new sheet metal water well casings (which are rationed farm equipment as defined in Food Production Order No. 141) for agricultural use and it also sets forth the requirements of the rationing program which are of special importance to persons desiring such equipment. This supplementary order should be read in conjunction with Food Production Order No. 14 which establishes the general rationing program, and which contains definitions of certain terms used herein.

§ 1202.452 Scope. This supplementary order deals with new sheet metal water well casing manufactured for farm use (Item No. 218, War Production Board Order No. I-257, as amended 3). Such casing is rolled from sheet metal and welded or riveted into sections of casing. This supplementary order does not deal with standard water well casing fabricated by pipe mills.

§ 1202.453 Transfer of water well casing for agricultural use. (a) No person other than a Federal agency shall make a transfer or accept a transfer of new sheet metal water well casing for agricultural use, except pursuant to a purchase certificate issued by a county farm rationing committee: Provided, however, That no purchase certificate shall be required when the transfer is for an amount of casing with a retail price of \$100.00 or less and such casing is all that is needed for one well.

(b) If an application is approved, a purchase certificate shall be issued to cover the full amount of casing needed for one well. No purchase certificate will be issued, however, for this purpose unless the applicant can show to the satisfaction of the county farm ration-

<sup>&</sup>lt;sup>2</sup> 8 F.R. 13217.

<sup>&</sup>lt;sup>2</sup>8 F.R. 15568.

ing committee that he has or will have pumping and power facilities necessary to operate the well in which the casing is to be used.

§ 1202.454 Transfers to Federal agencies and for non-agricultural use. (a) Purchase certificates will not be issued to Fedéral agencies for new sheet metal water well casing. If a Federal agency wants such casing for agricultural use in the United States, it must obtain a written authorization from the Director. If a Federal agency wants such casing for non-agricultural use, or for export, it must comply with War Production Board Order No. L-257, as amended,2 or L-257a, as amended,3 and any other applicable War Production Board regulations.

(b) If any person other than a Federal agency wants new sheet metal water well casing for non-agricultural use, he must comply with War Production Board Order No. L-257, as amended, and any other applicable War Production Board

regulations.

- § 1202.455 Manufacturers' reports. On or before January 20, 1944, each manufacturer of new sheet metal water well casing shall report to the Director, in writing (a) the quantity of such casing (in terms of tons of steel) transferred by him into each State from July 1, 1943, to December 31, 1943, and (b) his best estimate of the quantity of such casing (in terms of tons of steel) which he will transfer into each State from January 1, 1944, to July 31, 1944. If a manufacturer has no records of his transfers from July 1, 1943, to December 31, 1943, an estimate of such transfers will be acceptable. This report is merely for the information and use of the Director in connection with the administration of this order, and no manufacturer will be bound to transfer casing in accordance with his report. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)
- § 1202.456 Communications. All communications concerning this supplementary order shall, unless otherwise directed, be addressed to the Director of the Office of Materials and Facilities. War Food Administration, Washington 25, D. C., Ref.: FPO 14, Supp. 6.
- § 1202.457 Incorporation into Food Production Order No. 14. This Supplementary Order No. 6 shall be added to and become a part of Food Production Order No. 14, and any violation of this Supplementary Order No. 6 shall be deemed to be a violation of Food Produc-'tion Order No. 14.

§ 1202.458 Effective date. This order shall become effective December 15, 1943. (54 Stat. 676,-55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of December 1943. WILSON COWEN.

Assistant War Food Administrator.

[F. R. Doc. 43-19939; Filed, December 14, 1943; . 11:24 a. m.]

Chapter XI-War Food Administration (Distribution Orders)

[FDO 1, Amdt. 5]

PART 1404—BAKERY PRODUCTS

MANUFACTURE AND DISTRIBUTION OF DAKERY PRODUCTS

-Food Distribution Order No. 1, issued by the Secretary of Agriculture on December 29, 1942, as amended (8 F.R. 8387), is further amended to read as follows:

§ 1404.1 Restrictions on the manufacture and distribution of baltery products-(a) Definitions. (1) "Bakery products" means bread, rolls, sweet rolls, cakes, pies, cookies, doughnuts, biscuits, crackers, pretzels, ice cream cones, and similar products prepared by bakers.

(2) . "Baker" means any person who is engaged in the commercial manufacture of any bakery product, excluding baking at institutions, hotels, and restaurants in connection with the service of meals at such establishments.

(3) "Bread" means any type of bread, and includes white, rye, whole wheat, raisin, combinations, and similar baked

products.

(4) "Rolls" includes plain white rolls and buns of the semi-bread dough type, such as soft rolls, hamburger, hot doz, Parker House, etc., hard rolls, such as Vienna, Kaiser, etc., all made without fillings or icing, but shall not include yeastraised sweet rolls or sweet buns, cinnamon rolls or buns, butterfly rolls, etc.
(5) "Variety" with respect to bread

and rolls, means bread or rolls of a particular formula, type, weight, shape, or topping. Any difference in formula, type, weight, shape, or topping shall be sufficient to constitute a separate variety. Sliced or unsliced bread or rolls, or any difference in thickness of slices, shall not be considered as separate varieties.

(6). "Enriched" means made from enriched flour which contains the ingredients in the quantities required by the regulations promulgated under the Food, Drug and Cosmetic Act, or that equivalent ingredients have been added to plain flour during the mixing of the dough.

(7) "Twisting" means the twisting together of two or more pieces of dough to form a loaf baked in a pan, except the twisting or braiding of dough for the Jewish ritual bread containing eggs which is sold under the name "Chalah" or variations of that name.

(8) "Cross panning" means placing in a bread baking pan at right angle to its length, two or more pieces cut from dough which has passed through the bakery machine commonly known as a

(9) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(10) "Director" means the Director of Food Distribution, War Food Administration.

(b) Varieties. No baker shall, unless specifically authorized by the Director, make or sell in or from any one bakery, during any week beginning at 12:01 a.m. Sunday, more than: (1) 20 varieties of bread, or (2) 12 varieties of rolls.

(c) Ingredients. (1) No baker shall make or sell any bread baked from dough which contains more than:

(i) 4 parts by weight of solids of milk or skim milk to 100 parts of flour;

(ii) 6 parts by weight of cane sugar,. beet sugar, corn sugar, or other similar fermentable carbohydrate solids (except as may be present in any fruit used) to 100 parts of flour; or

(iii) 3 parts by weight of shortening, lard, or other fats or oils (including fats or oils which have been added to any other ingredient) to 100 parts of flour.

(2) No person shall sell any imported bread baked from dough which contains any ingredient listed under (c) (1) hereof in excess of the applicable quantity therein specified.

(d) Enrichment. (1) No baker shall make or sell any yeast-raised bakery product (except biscuits and crackers), or any doughnuts, crullers, or fried cakes, unless enriched to the extent that white flour is used as an ingredient.

(2) No person shall sell any imported yeast-raised bakery product (except biscuits and crackers), or any imported doughnuts, crullers, or fried cakes, unless enriched to the extent that white flour is used as an ingredient.

(e) Twisting or cross panning. baker shall perform the process of twist-°ing or cross panning in the manufacture of any pan bread. The making of twin loaves shall not be construed as cross panning.

(f) Packaging. No baker shall prepare or deliver any bread or rolls packaged in more than one thickness of wrapping material, or use inserts or out-

serts, except as follows:

(1) More than one thickness, to the extent required for proper sealing, including end seals or labels, may be used on the area of closure, or where necessary in the packaging of rolls with cardboard bottoms, or ends, or cardboard trays;

(2) Inner wraps of lighweight wax paper may be used partially to cover loaves of bread baked in pans having a top inside length of 13 inches or more;

(3) One insert or one outsert, not exceeding three inches in width, may be used where the Same provides the only label identification or a required label correction.

(g) Consignment, returns, credits, discounts. No baker, or other seller or distributor of bakery products, his agents or employees, shall deliver bakery products on consignment or otherwise than pursuant to a bona fide sale of such products; or give any refund, credit, exchange, discount, gift, or allowance, for or in connection with the sale or delivery of bakery products; or resume possession or accept the return of any bakery product. No purchaser of bakery products shall accept delivery of such products on consignment or otherwise than pursuant to a bona fide sale of such products; or return any bakery product to any seller thereof; or accept any refund, credit, exchange, discount, gift, or allowance for or in connection with the purchase or delivery of bakery prod-

<sup>&</sup>lt;sup>2</sup>8 F.R. 15568. <sup>2</sup>8 F.R. 11723.

ucts. This paragraph (g) shall not be construed to prohibit such discounts as are based upon quantities, cash payment, or reasonable customer classification, and which are openly published and equally available to all who fall within their terms.

(h) Gifts, samples. No baker or other seller of bakery products shall, directly or indirectly, give or offer to give any bakery product, or portion or sample thereof, to any person except charitable institutions.

(i) Equipment. No baker, or other seller or distributor of bakery products; his agents or employees, shall provide or furnish, by gift, sale, loan or otherwise, racks, stands, or other equipment of any kind or character to any purchaser of bakery products, or replace, repair, alter, or maintain any equipment previously furnished to or belonging to any such purchaser. This prohibition shall not apply to (1) cardboard counter display stands not larger than 24 x 18 x 18 inches, (2) small individual covers for containers which are required by law or ordinance, and (3) such other items as may be designated by the Director.

(j) Records and reports. (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the pro-

visions of this order.

(2) Every baker subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his production of bakery products, and of his purchases and sales of baking ingredients and bakery products.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) Audits and inspections. The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises or stocks of bakery products, ingredients, materials and supplies, of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(1) Petition for relief from hardship.

Any person affected by this order who considers that compliance herewith would work-an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, Food Distribution Order No. 1, Grain Products Branch, Food Distribution Administration, War Food Administration, Washington 25, D. C. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. If such person is dissatisfied with the action taken on such petition by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(m) Violations. In accordance with the procedure established for that purpose, the War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or-using any material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using material subject to the priority or allocation control of other governmental agencies. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(n) Delegation of authority. The administration of this order, and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any person within the War Food Administration any or all of the authority vested in him by this order.

(0) Territorial scope. The provisions of this order shall apply within the 48 States and the District of Columbia.

(p) Communications. All reports required to be filed hereunder and all communications concerning this order shall be addressed to Order Administrator, Food Distribution Order No. 1, Grain Products Branch, Food Distribution Administration, War Food Administration, Washington 25, D. C., Ref: FD 1.

(q) Effective date. This order shall

(q) Effective date. This order shall become effective at 12:01 a. m., e. w. t.,

January 16, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 1, as amended, prior to the effective date of this amendment, all provisions of Food Distribution Order No. 1, as amended, in effect prior to this amendment shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. (E.O. 9280, 7 F.R. 10179; E.O. 9322, 8

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 11th day of December 1943.

Marvin Jones,

War Food Administrator.

[F. R. Doc. 43-19791; Filed, December 11, 1943; 3:39 p. m.]

#### [FDO 64, Termination]

PART 1405—FRUITS AND VEGETABLES SHIPMENT OF CLINGSTONE PEACHES GROWN IN CALIFORNIA

Pursuant to the authority vested in me by Executive Order No. 9280, dated

December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, as further amended by Executive Order No. 9392, dated October 28, 1943, it is hereby ordered, as follows:

That Food Distribution Order No. 64, issued by Paul A. Porter, Acting War Food Administrator, on July 14, 1943 (8 F.R. 9733), relating to the shipment of clingstone peaches grown in the State of California, be, and the same is hereby, terminated at 12:01 a. m., p. w. t., December 15, 1943.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 64, prior to the effective time of this order, all provisions of said Food Distribution Order No. 64 in effect prior to this order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of December 1943.

WILSON COWEN, Assistant War Food Administrator.

[F. R. Doc. 43-19904; Filed, December 13, 1943; 5:09 p. m.]

#### [FDO 73, Termination]

PART 1405-FRUITS AND VEGETABLES

SHIPMENT OF FREESTONE PEACHES GROWN IN THE STATE OF CALIFORNIA

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, as further amended by Executive Order No. 9392, dated October 28, 1943, it is hereby ordered as follows:

That Food Distribution Order No. 73, issued by the War Food Administrator, on August 6, 1943 (8 F.R. 10967), relating to the shipment of freestone peaches grown in the State of California, be, and the same is hereby, terminated at 12:01 a. m., p. w. t., December 15, 1943.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 73, prior to the effective time of this order, all provisions of said Food Distribution Order No. 73 in effect prior to this order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423, E.O. 9392, 8 F.R. 14783)

Issued this 13th day of December 1949.

Wilson Cowen, Assistant War Food Administrator.

JF. R. Doc. 43-19920; Filed, December 13, 1943; 5:09 p. m.] [FDO 74, Termination]

PART 1405-FRUITS AND VEGETABLES

SHIPMENT OF ELBERTA PEACHES GROWN IN OREGON OR WASHINGTON

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334 dated April 19, 1943, as further amended by Executive Order No. 9392, dated October 28, 1943, it is hereby ordered as fol-

That Food Distribution Order No. 74 (8 F.R. 10969), issued by the War Food Administrator on August 6, 1943, Food Distribution Order No. 74-1 (8 F.R. 11018), issued by the Director of Food Distribution on August 7, 1943, and Food Distribution Order No. 74-2 (8 F.R. 11607), issued by the Director of Food Distribution on August 23, 1943, relative to the shipment of Elberta peaches grown in the State of Oregon or in the State of Washington, be, and the same are hereby, terminated, at 12:01 a.m., p. w. t. December 15, 1943.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 74, or under the respective orders issued by the Director of Food Distribution in pursuance thereof, prior to the effective time of this order, all provisions of said Food Distribution Order No. 74 and of said Director's orders in effect prior to this order shall be deemed in full force and effect for the purpose of sustaining any proper action, suit, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 FR. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of December 1943. WILSON COWEN, Assistant War Food Administrator.

[F. R. Doc. 43-19906; Filed, December 13, 1943; 5:09 p. m.]

[FDO 84, Termination]

PART 1405—FRUITS AND VEGETABLES

SAUERKRAUT

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, as further amended by Executive Order No. 9392, dated October 28, 1943, it is hereby ordered, as follows:

That Food Distribution Order No. 84, issued by the War Food Administrator, on October 11, 1943 (8 F.R. 13878), and Director Food Distribution Order No. 84.1, issued by the Director of Food Distribution on October 29, 1943 (8 F.R. 14726), relative to sauerkraut, be, and the same are hereby, terminated, at 12:01 a. m., e. w. t., December 13, 1943.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 84, or under the order issued by the Director of Food Distribution in pursuance thereof, prior to the effective time of this order, all provisions of said Food Distribution Order No. 84 and of said Director's order in effect prior to this order shall be deemed in full force and effect for the purpose of sustaining any proper action, suit, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of December 1943.

WILSON COWEN, Assistant War Food Administrator.

[F. R. Doc. 43-19878; Filed, December 13, 1943; 3:28 p. m.]

> [FDO 68, Amdt. 3, Correction] PART 1450-TOBACCO

CIGAR FILLER AND BINDER TYPES OF TOPACCO

Amendment No. 3 (8 F.R. 16497), issued by the War Food Administrator on December 6, 1943, to Food Distribution Order No. 68, as amended, is hereby corrected by deleting from said amendment No. 3 the date "January 11, 1943," and inserting, in lieu thereof, the date "January 11, 1944."

Issued this 14th day of December 1943.

WILSON COWEN. Assistant War Food Administrator.

[T.R. Doc. 43-19937; Filed, December 14, 1943; 11:24 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III-Claims and Accounts

PART 36-CLAIMS AGAINST THE UNITED STATES

Sections 36.1 to 36.10 as published in the Federal Register 1 June 1943, 8 F.R. 7213, are superseded by the following §§ 36.1 to 36.10. The regulations in these sections are also contained in Army Regulations No. 25-20 dated 8 July 1943, the particular paragraphs being shown in brackets at end of sections.

Sec. 36.1 Definition.

Legal principle applicable to claims. 36.2

36.3 Basic regulations to govern.

Statutory authority of the War De-partment and the Army. Application of regulations. 36.4

36.5 36.6

Action by claimant. Duties of claims officer. 36.7

Claims not provided for under any law.

Transfers and assignments of claims.

Disclosure of information.

AUTHORITY: §§ 36.1 to 36.10, inclusive, issued under R.S. 161; 5 U.S.C. 22.

§ 36.1 Definition. The word "claims" as used in these regulations refers to those demands for payment submitted by individuals, partnerships, associations, or corporations, including States, Terri-tories, and political subdivisions thereof (but excluding the Federal Government of the United States), other than such demands for payment as arise under or-

dinary obligations incurred by the War Department or the Army in the procurement of services or supplies. As to claims in favor of the United States, see §§ 37.3-37.5. [Par. 1]

§ 36.2 Legal principle applicable to claims. Congress has adhered generally to the principle that, except as the claim arises under a contract, no person can have a legal claim against the United States for property damage or personal injury. Accordingly, except in certain classes of cases hereafter enumerated, it is necessary for a claimant who seeks relief to ask Congress to grant him compensation as an act of grace. [Par. 2]

§ 36.3 Basic regulations to govern. The general provisions of these regulations so far as applicable, govern and will be followed in the investigation, processing, and disposition of all claims. [Par.

§ 36.4 Statutory authority of the War Department and the Army. Authority to settle claims has by statute been granted to the War Department and the Army as

follows: (a) Claims for damage to or loss or destruction of property, or for personal injury or death, incident to noncombat activities of the War Department or of the Army. The act of July 8, 1943 (Public Law 112, 78th Cong.) provides for the payment of claims, arising on or after 27 May 1941, for damage to or loss or destruction of real or personal property, or for reasonable medical, hospital, or burial expenses actually incurred on account of personal injury or death, caused by military personnel or civilian employees of the War Department or of the Army while acting within the scope of their employment, or otherwise incident to noncombat activities of the War Department or of the Army, including claims for damage to or loss or destruction of registered or insured mail while in the possession of the military authorities even though resulting from criminal acts, and claims for damage to or loss or destruction of personal property bailed to the Government and for damage to real property incident to the use and occupancy thereof under a lease, express or implied, or otherwise, and including claims of the foregoing categories arising out of civil works, provided they do not exceed \$500 or, if approved in time of war, provided they do not exceed \$1,000. See\_§§ 36.12-36.23.

(b) Claims under Article of War 105. Article of War 105 (sec. 1 Ch. II, act of June 4, 1920; 41 Stat. 803, 10 U.S. C. 1577) provides for the payment, by the offender through stoppage of pay, of certain claims for damage to or loss or destruction of property by persons subject to military law provided such damage, loss or destruction is caused by riotous, violent or disorderly conduct, or acts of depredation, willful misconduct, or such reckless disregard of property rights as to carry an implication of guilty intent. See § 36.25.-

(c) Claims for damage to or loss or destruction of property, or for personal injury or death, caused by Army forces in foreign country. The act of January

2, 1942 (55 Stat. 880; 31 U. S. C. 224d) as amended by the act of April 22, 1943 (57 Stat. 66), provides for the payment of claims for damage to or loss or destruction of real or personal property, and

for personal injury or death, caused by Army forces, or individual members Army forces, or individual members (whether military personnel or civilian employees) thereof, or otherwise incident to noncombat activities of such

forces, in a foreign country to public property located therein or to the privately owned property, or to the persons, of inhabitants of such country. See [Par. 4] \$ 36.26

§ 36.5 Application of regulations. The following chart will govern in determining which sections in this part have application to any claim other than claims of military personnel:

[Pertinent Army regulations shown in brackets]

WAR DEPARTMENT CLAIMS CHART

Remarks	Applicable if not within AR 25-100 or \$36.26 of this part. [AR 25-60].	Applicable, if not within AR 25-1001 or \$35.26 of this part, [AR 25-60]	Applicable if not within: AR 25-100,1
Time limit	One year; except Ap that if calim arises in time of war, or when war inter- year, year, lyear after peace is estab- lished.	Nono	One year, except Ap that Iclaim arises we ter 0 December 1941, but prior to 1941, but prior to 1 May 1943, any time prior to 1 May 1944.
Subrogation	Entire amount allowed to sub- rogor as real calmant but no payment to sub- rogeo.	Uninsured portion allowed to subvogor as real claimant but no payment to subrogee.	Entire amount allowed to sub- lowed to sub- colument but no payment to sub- rogee.
Real property	Yes	X	Yes
Personal property	Yes	Y 03	Yes.
Personal injury	Yes	Мо	Yes
Method of settlement	Approval by Sceretary of War, or designee, Payment by any Files anne Ollect, U. S. Army, on certification by any authorized officer. If in excess of \$1,000 (\$500 if approved in time of peace): Approved in time of peace): Approved by Secretary of War who submits to Bureau of the Budget for report to Congress for consideration. Payment by Treasury Depart ment on certification by	Approval by offender's commanding officer. Paymont by local disbursing officer out of stoppages against offonder's pay.	Approval by a Foreign Claims Comnission. If in excess of \$2,600 must also be approved by theater, buse, or comparable commander or by The Judge Advocate General, Payment by local disburship officer or on certification by such comnission. If in excess of \$5,000; who submits to Bureau, of the Who submits to Bureau, of the Budget for report to Congress for consideration. Payment by Treasury Department on certification by Comptroller General.
Amount	\$1,000 maximum (\$500 ff approved in time of peace).	No limit.	\$5,000 maximum
Coverage	Damage to or loss or destruction of property, or personal injury or death incident to noncombat seller like of the War Dopartment or of the Army.	Damago to or loss or destruction of proporty by Porsons subject to military law cause of by rictous, violent, or disorderly conduct, or acts of depredation, will. In misconduct, or seem of property regard of property regard of property militars as to carry funited.	gullty intent. Damage to or loss or destruction of prop- retty, or personal injury or death, caused by Army forces in foreign countries.
Provision	Military claims provision.	Article of War	Fareign claims provision.
Statutes	Sec. 1, act July 3, 1943 (Public Law 112, 78th Cong.	Art. 105, ch. II, act June 4, 1920, (41 Stat. 808; 10 10 U. S. C., 1677).	Sec. 1 fact Jan. 2, 1942 (65 Etat. 280; 31 U. 8. O. 224d); ss amended by act April 2, 1943 (Public Law 39, 78th Cong.).
Sections	\$§ 36.12-36.23 [AR 26-23].	§ 36.26 [AR 25-80]	§36.26 [AR 25-00]

1 Administrative regulations of the War Department pertaining to claims of military personnel for private property lost or destroyed in service.

lessees, mortgagors, and conditional vendees but does not include mortgagees, conditional vendors and others having title for purposes of security only. The ant. Claims must be presented by the owner of the property damaged or the person injured, or his duly authorized agent or legal representative. The word "owner," as so used, includes bailees, lessees, mortgagors, and conditional ity of the person signing and be accompanied by evidence of the appointment of claim, if filed by an agent or legal representative, should show the title or capac-§ 36.6 Action by claimant—(a) Claim-

sible, the detailed facts and circumstances

surrounding the accident or incident, indicating the date and place, the property

and persons involved, the nature and extent of the damage or injury, and the

ant—(1) General. The amount claimed for damage to or loss or destruction of property, or for personal injury or death, must be substantiated by com-Evidence to be submitted by claim-(1) General. The amount petent evidence. 9 sworn statement in writing stating the claimant's address and setting forth the amount of the claim and, so far as posadministrator, (b) Form of claim. Claims should be submitted by presenting in triplicate a guardian, trustee, or other fiduciary. executor,

fences, building, motor vehicles and similar property which has been or can be repaired or replaced, the claimant should submit an itemized signed statement or estimate of the cost of repairs or replacements; if not reparable, the value thereof before and after the accident should be (2) Property damage. In support of claims for damage to or destruction of

agency which was the cause or occasion thereof. War Department forms will be used whenever practicable.

to or destruction of crops, trees, land, and similar property, which has been or can be restored, the claimant should submit an itemized signed statement or estimate of the cost of repairs or restoration, supported by evidence of the number of acres, or other unit of measure, of the crops, trees, land, or other property damaged or destroyed, the normal yield per unit, the estimated period the property will remain unproductive, and the nordent should be stated. All such state-ments or estimates should be in triplicate erty in the vicinity; if not restorable, the mal rental value per unit of similar prop value thereof before and after the acci-The amount

and if possible by disinterested competent witnesses, preferably reputable dealers of the type of property damaged. Such statements and estimates should be certified as just and correct; if payment has been made, itemized receipts evidencing payment should be included. In support of claims for damage to or loss or destruction of registered or insured mail, the claimant should in addition submit, where possible, the registration or insurance receipt or an authenticated copy thereof showing the amount of fee and postage paid.

(3) Personal injury. In support of claims for personal injury or death, the claimant should submit in triplicate a written report by attending physician, showing the nature and extent of injury, the nature and extent of treatment, the degree of permanent disability, if any, and the period of hospitalization or incapacitation, and bills for medical, hospital, or burial expenses actually in-

(d) Signatures. The claim and all other papers requiring the signature of the claimant should be signed by the claimant personally or by a duly authorized agent. The signature of such claimant or agent should be identical throughout.

(e) Place of filing. The claim will be submitted to the commanding officer of the unit involved if known, otherwise to the commanding officer of any post, camp, station, or other military establishment, if practicable the one within which or nearest to which the accident or incident occurred. [Par. 6]

Duties of claims officer—(a) Procedure. In proceeding with the investigation and making his report the claims officer will:

(1) Consider all information and evidence obtained as the result of any previous inquiry or investigation of any aspect of the accident or incident.

(2) Conduct further independent investigation of the matter in a fair and

impartial manner.

(3) Secure and consider testimony of all competent witnesses on pertinent facts.

(4) If it appears probable from the evidence that the owner of the property damaged, lost, or destroyed, or the person injured, has a meritorious claim, ascertain and state whether he intends to file a claim against the Government. In the event inquiry is made as to the procedure whereby a claim may be filed, the person making the inquiry will be in-formed of the provisions of § 36.6 and furnished an appropriate form and advised as to where it should be filed.

(b) Testimony to be reduced to writing. (1) Pertinent testimony taken by the claims officer should be reduced to writ-

ing and prepared in trplicate.

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(2) Repairs bills or estimates should be signed by the person rendering them but need not be authenticated; if the bill has been paid, the payee should so certify.

(3) When several claims are presented as the result of one accident or incident,

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they may, and should normally, he incorporated into a single report.

(c) Ascertainment of amount of damage-(1) Property damage, loss, or destruction. (i) If the property has been or can be repaired or replaced or restored, the measure of damage is the net cost, or estimated cost, of repairs or replacements or restoration to substantially the condition in which the property was immediately prior to the accident or incident. but shall not exceed the fair market value of the property immediately prior to the accident or incident less the fair market value thereof immediately after the accident or incident.

(ii) If the property cannot be repaired, replaced, or restored, the measure of damage is the fair market value of the property immediately prior to the accident or incident less the fair market value thereof immediately after the accident or incident.

(iii) To determine the net cost, or estimated cost, of repairs under subdivision (i) there should be deducted from the gross cost (actual or estimated) of repairs or replacements or restoration the following:

(a) The value of any salvaged parts or

materials, and

(b) The amount of any appreciation in value thereby effected; and there should be added to such gross cost the amount of any depreciation resulting;

Provided, Such deductions or additions are sufficiently substantial in amount to warrant consideration.

(iv) All such statements and estimates should if possible be by one or more disinterested competent witnesses, preferably reputable dealers of the type of property damaged, lost, or destroyed.

(v) Loss of use of damaged property may be included as an element of damage to the extent of the reasonable rental value of the property provided it is used for a business or commercial purpose and then only for such period as is reasonably necessary for repairs.

(vi) The measure of damage, in cases of total loss or destruction of registered or insured mail, is the fair market value thereof immediately prior to the accident or incident, plus the amount of any registration and insurance fees and, if the letter or parcel was not delivered, the amount of postage prepaid. In cases of damage only, or partial loss or destruc-

vided in (i) to (iii) inclusive, above. (2) Personal injury or death. (1) The measure of damage is as provided in the specific regulations under which the claim is payable.

tion, the measure of damage is as pro-

(ii) All statements and estimates of medical, hospital, and burial expenses should be substantiated by the originals or copies of any bills rendered.

(3) Excluded items. Interest, cost of preparation of claims and securing supporting evidence, inconvenience, and similar items may not be included as elements of damage.

(d) Acceptance of award and advice to claimant. The claims officer will not advise the claimant as to the action taken

on his claim unless and until an award thereon is recommended, in which event the claimant will be advised that such recommendation for award is subject to approval or disapproval by higher authority. If the amount so recommended is less than the amount claimed a statement in writing should, if possible, be obtained from the claimant as to whether he will accept the award, if approved, in full satisfaction and final payment of his claim and, if not, his reasons for not accepting. In no case will the claims officer advise the claimant that his claim has been disallowed. . [Par. 8]

§ 36.8 Claims not provided for under any law. All claims the settlement of which is not provided for by any specific law or appropriation will be referred to a claims officer for investigation and report in a manner similar to that prescribed in § 36.7, with such modification thereof as the features of the particular case may warrant. Such claims will then be forwarded, with related files and such comments, if any, as the forwarding authority may desire to submit, in tripli-cate by or through the commanding general of the service command, or, if Army Air Forces are involved, the commanding officer of the air service command, within the United States, its territories and possessions, or, if within a foreign theater of operations or other foreign command, by or through the command claims service and a foreign claims commission of the foreign command, in which the accident or incident resulting in the claim occurred, to The Judge Advocate General for appropriate administrative action. [Par. 11]

§ 36.9 Transfers and assignments of claims. All transfers and assignments made of any claim upon the United States, or of any part or share thereof, or interest therein, whether absolute or conditional, and all powers of attorney, orders, or other authorities for receiving any payment of any such claim, or of any part or share thereof, are (see R. S. section 3477 (31 U.S.C. 203), as amended by the act of October 9, 1940 (54 Stat. 1029)) absolutely null and void, unless made after the issuing of a warrant for the payment thereof. The provisions of the statute, as amended, do not apply to assignments of claims by operation of law, as when a receiver or trustee in bankruptcy is appointed for an individual, firm or corporation, or an administrator for the estate of a deceased person; nor do they apply in any case in which the moneys due or to become due from the United States or from any agency or department thereof, under a contract providing for payments aggregating \$1,000 or more, are assigned to a bank, trust company, or other fi-nancing institution, including any Federal lending agency, under the conditions set forth in the act of October 9, 1940 (supra). See §§ 35.5-35.9 [Par. 13]

Disclosure of information. Except in the proper discharge of his official duties, no person in the military service will furnish copies of official papers or give any information which can be used as the basis of a claim against the United States. In order that the investigations required by these regulations shall be full and impartial, any officer may in the performance of his duties permit claimants or their authorized representatives, upon request, to examine the evidence of record except as considerations of military security may indicate such disclosure to be inadvisable. [Par. 15]

[SEAL]

J. A. Ulio, Major General, The Adjutant General.

[F. R. Doc. 43-19900; Filed, December 13, 1943; 4:19 p. m.]

TITLE 16—COMMERCIAL PRACTICES Chapter I—Federal Trade Commission [Docket No. 4846]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

J. SILVERMAN AND ASSOCIATES, ETC.

§ 3.69 (a) Misrepresenting oneself and goods-Business status, advantages or connections-Nature, in general: § 3.72 (n10) Offering deceptive inducements to purchase or deal-Terms and conditions: § 3.96 (b) Using misleading name-Vendor—Nature, in general. In connection with offer, etc., in commerce, of respondents' postcards designed for use in obtaining information concerning debtors, or of any other similar printed or written material, and among other things, as in order set forth, (1) using the name "General Forwarding System", or any other name of similar import, to designate, describe, or refer to respondent's business; or otherwise representing, directly or by implication, that respondent is connected in any way with the movement or transportation of goods or shipments, or with the delivery of goods or shipments to the consignees thereof; or (2) representing, directly or by implication, that persons concerning whom information is sought through respondent's post cards or other material are, or may be, consignees of goods or packages in the hands of respondent, or that the information sought through such means is for the purpose of enabling respondent to make delivery of goods or packages to such persons; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, J. Silverman and Associates, etc., Docket 4846, November 29, 1943]

§ 3.55 Furnishing means and instrumentalities of misrepresentation or deception: § 3.69 (a) Misrepresenting oneself and goods—Business status, advantages or connections—Nature, in general: § 3.72 (n10) Offering deceptive inducements to purchase or deal—Terms and conditions: § 3.96 (b) Using misleading name—Vendor—Nature, in general. In

connection with offer, etc., in commerce, of respondents' postcards designed for use in obtaining information concerning debtors, or of any other similar printed or written material, and among other things, as in order set forth, (1) using the name "Commercial Pen Co.", or any other name of similar import, to designate, describe, or refer to respondent's business; or otherwise representing, directly or by implication, that respondent is engaged in the business of selling or distributing pens or other merchandise; and (2) using, or supplying to others for use, postcards or other material which represents, directly or by implication, that such cards or other material are for the purpose of introducing pens or other merchandise to the public; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, J. Silverman and Associates, etc., Docket 4846, November 29, 1943]

§ 3.55 Furnishing means and instrumentalities of misrepresentation or deception: § 3.69 (a) Misrepresenting oneself and goods-Business status, advantages or connections-Nature, in general: § 3.72 (n10) Offering deceptive inducements to purchase or deal-Terms and conditions. In connection with offer, etc., in commerce, of respondents' postcards designed for use in obtaining information concerning debtors, or of any other similar printed or written material, and among other things, as in order set forth, using, or supplying to others for use, postcards or other material which represents, directly or by implication, that respondent's business is other than that of obtaining information for use in the collection of debts, or that the information sought through such cards or other material is for any purpose other than for use in the collection of debts; prohibited. (Sec. 5, 38 Stat, 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, J. Silverman and Associates, etc., Docket 4846, November 29, 1943]

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C. on the 29th day of November, A. D. 1943.

In the Matter of Jack Silverman, an Individual Trading Under the Names J. Silverman and Associates, General Forwarding System, and Commercial Pen Co.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent; testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and briefs in support of and in opposition to the complaint (oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has vio-

lated the provisions of the Federal Trade

Commission Act;

It is ordered, That the respondent, Jack Silverman, individually and trading as J. Silverman and Associates, General Forwarding System, and Commercial Pen Co., or trading under any other name, and his agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of post cards designed for use in obtaining information concerning debtors, or any other printed or written material of a substantially similar nature, do forthwith cease and desist from:

(1) Using the name "General Forwarding System", or any other name of similar import, to designate, describe, or refer to respondent's business; or otherwise representing, directly or by implication, that respondent is connected in any way with the movement or transportation of goods or shipments, or with the delivery of goods or shipments to the

consignees thereof.

(2) Representing, directly or by implication, that persons concerning whom information is sought through respondent's post cards or other material are, or may be, consignees of goods or packages in the hands of respondent, or that the information sought through such means is for the purpose of enabling respondent to make delivery of goods or packages to such persons.

(3) Using the name "Commercial Pen Co.", or any other name of similar import, to designate, describe, or refer to respondent's business; or otherwise representing, directly or by implication, that respondent is engaged in the business of selling or distributing pens or other merchandise.

• (4) Using, or supplying to others for use, post cards or other material which represents, directly or by implication, that such cards or other material are for the purpose of introducing pens or other

merchandise to the public.

(5) Using, or supplying to others for use, post cards or other material which represents, directly or by implication, that respondent's business is other than that of obtaining information for use in the collection of debts, or that the information sought through such cards or other material is for any purpose other than for use in the collection of debts.

It is further ordered, That the respondent shall within sixty (60) days after service upon him of this order file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, Secretary.

[F. R. Doc. 43-19935; Filed, December 14, 1943; 11:20 a, m.]

#### TITLE 32—NATIONAL DEFENSE

#### Chapter IX-War Production Board

Subchapter B-Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Rég. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1226—GENERAL INDUSTRIAL EQUIP-MENT 1

[General Conservation Order L-268 as Amended Dec. 14, 1943]

#### OXY-ACETYLENE APPARATUS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of oxy-acetylene apparatus for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

- § 1226.102 General Conservation Order L-268—(a) Definitions. For the purpose of this order:
- (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.
- (2) "Manufacturer" means any person to the extent that he is engaged in the fabrication or assembly of oxyacetylene apparatus, or parts thereof, and includes any sales or distribution agencies, outlets, warehouses, or branches owned or controlled by any such person.
- (3) "Dealer" means any person to the extent that he acquires oxy-acetylene apparatus or parts thereof for resale, but does not include any sales or distribution agencies, outlets, warehouses or branches owned or controlled by a manufacturer.
- (4) "Oxy-acetylene apparatus" means (i) any new device which uses oxygen, in conjunction with acetylene or other fuel gases, for the welding, heating or cutting of metals; or (ii) any new acetylene generator.
- (b) Restrictions on acceptance and delivery of orders. (1) On and after March 6, 1943, no manufacturer or dealer shall accept any order for oxyacetylene apparatus, or parts thereof, unless the order bears a preference rating of AA-5 or higher.
- (2) On and after April 25, 1943, no manufacturer or dealer shall deliver any oxy-acetylene apparatus or parts thereof except in fulfillment of an order bearing a preference rating of AA-5 or higher.
- (3) The limitations and restrictions of paragraphs (b) (1) and (b) (2) above shall not apply to (i) any order for, or delivery of oxy-acetylene apparatus or parts for the direct use of the Army, Navy, Maritime Commission or War

- (c) Manufacturing and sales restrictions—(1) Material restrictions. On and after May 25, 1943, no non-ferrous metals shall be used in the manufacture of the following parts or portions of manually operated oxy-acetylene apparatus:
  - (i) [Deleted Dec. 14, 1943]
  - (ii) [Deleted Dec. 14, 1943]
  - (iii) [Deleted Dec. 14, 1943]
  - (iv) [Deleted Dec. 14, 1943]
- (v) [Deleted Dec. 14, 1943]
  (vi) Lever or other actuating control of cutting exygen.

(vii) Name plates.

- (viii) Ferrules or clamps used on hose for sealing tight the hose connections.
  - (ix) [Deleted Dec. 14, 1943]
  - (x) [Deleted Dec. 14, 1943]
  - (xi) Handle for tip cleaning drills.

The provisions of this subparagraph shall not apply to (a) oxy-acetylene apparatus or parts designed and used for operation under water, or (b) to electroplating or coating of any of the above mentioned parts.

- (2) Sales restrictions. On and after March 6, 1943, no manufacturer or dealer shall sell any blow pipe or torch tips or hose connections as part of the blow pipe or torch; but shall sell such articles only as separate items of equipment bearing an independent sales price: Provided, however, That the provisions of this subparagraph shall not be construed to permit, justify or require any increase in the sales price of the equipment covered hereby.
- (3) Repair facilities for tips. Any manufacturer who maintains facilities for, and performs the function of repairing oxy-acetylene apparatus, or part thereof, manufactured by him shall, upon request, repair any welding or cutting tips of his manufacture, except to the extent that his repair facilities are inadequate to fill the orders so received.
- (d) Purchase restrictions. (1) No person located in the United States (excluding any possession or territory thereof) shall purchase any oxy-acetylene apparatus part which will increase his inventory thereof beyond an amount equal to that used by him for repair purposes during the preceding two calendar months.
- (2) No person located in the United States (excluding any possession or territory thereof) shall purchase any oxyacetylene apparatus as spare or standby equipment if and to the extent that the purchase will increase his stock thereof beyond one piece of spare apparatus for each ten pieces of like apparatus, or fraction thereof, in operation.
  - (e) [Daleted Dac. 14, 1943]
  - (f) Miscellaneous provisions.
  - (1) [Deleted Dec. 14, 1943.]
- (2) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

- (3) Other limitation orders. Where the limitations imposed by any other L or M Order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.
- (4) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.
- (5) Appeals. An appeal from this order may be made either by the manufacturer or by the purchaser or proposed purchaser. Any such appeal from the provisions of this order shall be made by filling a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.
- (6) Communications. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref.: L-263.

Issued this 14th day of December 1943.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[P. R. Doc. 43-19314; Filed, December 14, 1943; 10:53 a. m.]

#### PART 3278-SALVAGE

[Conservation Order M-325 as Amended Dec. 14, 1943]

#### THINED AND DETRINED SCRAP

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin and of iron and steel scrap, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

- § 3278.1 Conservation Order M-325— (a) Definitions. For the purposes of this order:
- (1) "Tinned scrap" means scrap consisting of tin plate, whether clippings, used tin cans, or in any other form, but excluding crown or screw caps or similar closures for tin cans or other containers.
- (2) "Detinned scrap" means tinned scrap which has been treated by a chemical or electro-chemical detinning process so that it contains not more than "10 of one per cent of tin by weight.

  (3) "Tin plate clippings" means tinned
- (3) "Tin plate clippings" means tinned scrap consisting of new or reclaimed tin plate, generated in the manufacture of cans, closures, or other articles.
- (4) "Flat tinned scrap" means any form of tinned scrap other than used tin cans and tin plate clippings, but includes tin plate sheets recovered from used tin cans or from other articles.

Shipping Administration, or (ii) any order for, or delivery of parts for repair of oxy-acetylene apparatus which cannot be effectively operated without such repair parts.

<sup>&</sup>lt;sup>1</sup>Formerly Part 3198, § 3198.1.

- (5) "Tin plate" and "terne plate" shall have the same meanings as in Supplementary Order M-21-e, as amended.
- (6) "Official salvage committee" means a municipal or county committee organized to stimulate, supervise and engage in the collection of salvable materials (including tinned scrap) in accordance with policies and programs established from time to time by the Salvage Division of the War Production Board.
- (7) "Prepared used tin cans" means tin cans from which the contents have been emptied, the labels and ends removed, have been thoroughly cleaned so as to remove all organic matter, and have their sides flattened.
- (b) Restrictions on tinned scrap and used cans made of terne plate. Except with specific permission of the War Production Board:
- (1) Iron and steel producers. No person shall deliver tinned scrap or used cans made of terne plate to a producer of steel or iron products (as defined in Order M-21, as amended), and no such producer shall accept delivery of tinned scrap or used cans made of terne plate.
- (2) Tin plate clippings. No person shall deliver or accept delivery of tin plate clippings except where delivery is made to an official salvage committee, a detinning plant, or to a broker or dealer for delivery by him in the same form in which he receives them to an official salvage committee or detinning plant.
- (3) Flat tinned scrap. No person shall use flat tinned scrap in any manufacturing operation; and no person shall deliver or accept delivery of flat tinned scrap except where delivery is made to or for the account of:
- (i) A detinning plant or a plant engaged in the precipitation of copper; or
- (ii) An official salvage committee or other person for delivery in the same form in which it is received to or for the account of a detinning plant or a plant engaged in the precipitation of copper.
- (4) Used tin cans. No person shall deliver or accept delivery of used tin cans except where celivery is made to or for the account of a municipal department or agency, an official salvage committee, a shredding or detinning plant, or a plant engaged in the precipitation of copper, or a person regularly engaged in the collection of rubbish or trash. Any person regularly engaged in the collection of rubbish and trash who receives used tin cans shall either deliver them to one of the persons or agencies listed above, or place them in a dump or other established refuse disposal point.
- · Permission to acquire used tin cans may be granted to other persons by the War Production Board upon such terms and conditions as it may impose. Application for such permission shall be made on Form WPB 2825, or on such other form as may be specified by the War Production Board.

The restrictions of this paragraph (b) (4) shall not apply to deliveries of used tin cans to or for the account of any person for reuse in packing any product when permission to pack in tin cans (new or used) has been granted to him by the War Production Board.

(5) Collection, segregation and disposal of used tin cans in counties on Schedule A. No person (including a municipal department or agency) in any of the counties listed in Schedule A, who is regularly engaged in collecting rubbish or trash shall:

(i) Reject any used tin cans offered him in the usual course of his collection of rubbish or trash;

(ii) Mingle any used tin cans which were segregated at the time of their collection with any other refuse, rubbish or trash;

(iii) Dispose of any segregated used tin cans, collected by him in any manner, other than by delivering such cans to or for the account of:

(a) A shredding or detinning plant or a plant engaged in the precipitation of copper: or

(b) A municipal department or agency for delivery by such department or

agency to a shredding or detinning plant or to a plant engaged in the precipitation of copper.

(6) Collection, segregation and disposal of prepared used tin cans in areas on Schedule B. No person (including a municipal department or agency) who is regularly engaged in collecting rubbish or trash, within any municipality having a population of 25,000 or more located in any of the areas listed on Schedule B, shall:

(i) Reject any prepared used tin cans offered him in the usual course of his collection of rubbish or trash;

Tii) Mingle any prepared used tin cans which were segregated at the time of their collection with any other refuse, rubbish or trash;

(iii) Dispose of any such segregated and prepared tin cans in any other manner than by delivering such cans to or for the account of:

(a) A shredding or detinning plant or a plant engaged in the precipitation of copper: or

(b) A municipal department or agency for delivery by such department or agency to a shredding or detinning plant or a plant engaged in the precipitation of copper.

(c) Restrictions on sales of detinned scrap. Except with the specific permission of the War Production Board, no person producing detinned scrap at a detinning plant located in any of the states listed in Schedule C shall deliver such scrap except to or for the account of a plant engaged in the precipitation of copper.

(d) Miscellaneous provisions—(1) Violations. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or

agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistańče.

(2) Applicability of priorities regulations. This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(3) Communications to War Production Board. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Salvage Division, Washington, D. C., Ref: M-325.

Issued this 14th day of December 1943. WAR PRODUCTION BOARD. By J. Joseph Whelan,

Recording Secretary.

#### SCHEDULE A

Note: List of counties in Kansas, Missouri and Texas deleted Dec. 14, 1943.

California: Alameda, Contra Costa, Fresno, Imperial, Kern, Los Angeles, Marin, Merced, Monterey, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Joaquin, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Ventura, Yolo, Yuba.

New York: Bronx, Kings, New York, Qucens,

Richmond.

#### SCHEDULE B

Connecticut. Delaware. District of Columbia. Illinois. Indiana.

Kentucky. Maryland. Massachusetts.

Michigan.

Minnesota (only the Cities of Duluth, Minneapolis and St. Paul).
Missouri (only the City of St. Louis).

New Jersey

New York (other than New York City). Ohio.

Pennsylvania. Rhode Island. Virginia. West Virginia. Wisconsin.

Arizona.

#### SCHEDULE C

Arkansas. California. Colorado. Idaho. Kansas. Louisiana. Missouri. Montana. Nebraska. Nevada. New Mexico. Oklahoma. Oregon. Texas. Utah. Washington. Wyoming.

[F. R. Doc. 43-19915; Filed, October 14, 1943; 10:35 g. m.]

PART 3291—CONSUMERS DURABLE GOODS 1 [Limitation Order L-13-a, as Amended Dec. 14, 1943]

METAL OFFICE AND INDUSTRIAL FURNITURE AND FIXTURES

Section 3291.501 Limitation Order L-13-a is hereby amended to read as follows:

§ 3291.50 Limitation Order L-13-a-(a) Definitions. For the purposes of this order:

(1) "Manufacturer" means any person engaged in the production of metal office and industrial furniture and fixtures.

(2) "Metal office and industrial furniture and fixtures" means any one of the following: Insulated metal filing cabinets, safes; metal visible record equipment; metal shelving; metal filing cabinets other than insulated filing cabinets; metal lockers; metal storage cabinets; metal desks; metal office chairs (except swivel chairs, which are covered by M-126); metal office tables, including typewriter and office machine stands (except those which are integral parts of the machines which they support); metal bank vault equipment; metal office counters; other metal office or industrial fixtures, including but not limited to, waste paper baskets, metal trays and wire bas-'kets; any other office and industrial furniture not specifically mentioned, containing more than 5% of metal in the net weight of the finished product other than such minimum amount of iron or steel as is essentially required for nails, nuts, bolts, screws, clasps, rivets, and other joining hardware for the construction and assembly of non-metal structural parts, and other than wood filing cabinets containing not more than two pounds per drawer of essential operating steel hardware. It does not include the following items of metal: time card racks, shop boxes, stacking boxes, tool cases, and tool room shelving inserts.

(b) Restrictions on production and transfer. No manufacturer shall process, fabricate, work on, assemble or transfer any metal office and industrial furniture and fixtures, except:

(1) As authorized in writing by the War

Production Board prior to December 14, 1943;
(2) To fill orders, contracts or subcontracts, for the account of the Army, or Navy, the U. S. Maritime Commission, or the War Shipping Administration, when such orders state on their face that the products are for use on board a steel seagoing vessel;

(3) Transfers as permitted by the War Production Board in response to an application on Form WPB-1319 (formerly PD-556);
(4) Assembly from fully fabricated parts

as permitted by the War Production Board in response to an application on Form WPB-1319 (formerly PD-556).

(c) Reports. On or before the tenth day of January 1944, and after that, on or before the tenth day of April, July, and October, each manufacturer who produced, assembled or transferred any metal office and industrial furniture and fixtures during the calendar quarter

(d) Appeals. Any appeal from the provisions of this order should be filed on Form WPB-1477 (formerly PD-500) with the Field Office of the War Production Board for the District in which is located the plant to which the appeal relates.

(e) Violations. Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) Communication. All reports to be filed hereunder and all communications concerning this order, except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington (25), D. C., Ref: L-13-a.

Issued this 14th day of December 1943. WAR PRODUCTION BOARD, By J. JOSEPH WHELAN. Recording Secretary.

[F. R. Doc. 43-19916; Filed, December 14, 1943; 10:53 a. m.]

PART 3291—CONSUMERS DURABLE GOODS 1 [Limitation Order L-13-a, Interpretation 1 as Amended Dec. 14, 1943]

METAL OFFICE AND INDUSTRIAL FURNITURE AND FIXTURES

Interpretation 1 to Limitation Order L-13-a (§ 3291.50)<sup>2</sup> is amended as fol-

Paragraph (a) (2) defines "metal bank vault equipment" as "metal office and industrial furniture and fixtures." Doors made of metal used for metal bank vault equipment (such as, doors for boxes within the bank vault, but not doors giving access to the vault) are subject to L-13-a. All other metal doors, metal door frames and metal shutters, as defined in Limitation Order L-142, are subject to the restrictions of that order, even though they may be the door, door frame or shutter of a bank vault.

Paragraph (b) (2) permits manufacturers to process, fabricate, work on, accemble or transfer metal office and industrial furniture and fixtures "To fill orders, contracts or sub-contracts, for the account of the Army, or Navy, the U. S. Maritime Commission, or the War Shipping Administration, when such orders state on their face that the products

are for use on board a steel reagoing venel.

The requirement that such orders, contracts or subcontracts state on their face that the metal office and industrial furniture and fixtures are for use on board a steel seagoing vessel makes it imperative that no Issued this 14th day of December, 1943. WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

[P. R. Doc. 43-19317; Filed, December 14, 1943; 10:53 a. m.]

PART 3291—CONSUMERS DURABLE GOODS 1 [General Limitation Order L-260, as Amended Dec. 14, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.65 <sup>1</sup> General Limitation Order L-260-(a) Definitions. For the purposes of this order:

(1) "Furniture" means all items commonly classified as furniture and including all items contained on Schedule A attached to this order, as amended from time to time. It shall not include items listed on Schedule B attached to this

order, as amended from time to time.
(2) "Essential metal parts" means nails, brads, tacks, screws, bolts, nuts, hanger bolts, rivets, staples, washers and burrs, button molds, hinges (except hinge mechanisms for sofa beds) catches, strapping, top fasteners, drawer clips, shelf supports, domes and glides, bed fasteners, bed packing hooks, corrugated fasteners, table locks, table cleats, mirror clips, angle braces, caps for leg tops of folding chairs, expansion shells, operating hardware for venetian blinds and venetian blind center supports for head rails and tilt rails.

(3) "Non-essential metal parts" means any hardware or parts containing any metal specifically intended for incorporation into furniture other than essential metal parts.

(4) "Metal parts manufacturer" means any person engaged in the business of manufacturing or assembling hardware or metal parts specifically intended for incorporation into furniture, whether or not he also manufactures furniture.

(5) "Furniture manufacturer" means any person engaged in the business of manufacturing or assembling furniture, whether or not he also manufactures

metal parts for furniture.

(6) "Pattern" means any piece of furniture having its own identification mark and selling price, except that for the purposes of this order, two or more pieces of furniture identical in every respect other than color, finishing materials, fabric, leather, or other outer covering or cover but having the same selling price shall be considered to be one

preceding those dates, shall file with the War Production Board, Form WPB-1600, according to the instructions accompanying that form. This reporting provision has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

<sup>&</sup>lt;sup>2</sup> Formerly Part \$98, § \$98.2.

metal office and industrial furniture and industrial fixtures be processed, fabricated, worked on, assembled or transferred until actual receipt of the order, contract or subcontract.

<sup>&</sup>lt;sup>1</sup>Formerly Part 3189, § 3189.1.

<sup>1</sup> Formerly Part 998, § 998.2.

pattern. Two or more pieces of furniture identical in every respect other than in their method of joining or their content of essential metal parts, shall be considered to be one pattern, whether or not they have the same selling prices. Two or more pieces of furniture identical in every respect but cut in different woods or veneers or containing different trims other than handles, shall be considered two or more patterns regardless of whether they carry identical identification marks and selling prices. Similarly, a suite of furniture of two or more different pieces shall constitute two or more patterns.

(7) "Preferred order" means any order, contract, or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Federal Pub-

lic Housing Authority.

(8) "Cost value" means cost computed in accordance with the method of accounting consistently used by a furniture manufacturer for bookkeeping and financial statement purposes.

(9) "Pattern base period" means the

month of September, 1941.

(10) "Metal parts base period" means the calendar year 1941, except that in the case of a furniture manufacturer whose fiscal year did not end on December 31, 1941, it means his fiscal year ending at any time between June 1, 1941

and May 31, 1942, inclusive.
(11) "Consume" when applied to essential metal parts means to use such parts in the production or packing of furniture or to supply such parts with furniture shipped in knock-down form.

- (b) Restrictions on production and acquisition of non-essential metal parts. (1) On and after March 1, 1943, no metal parts manufacturer shall accept delivery of any iron or steel intended for the fabrication of non-essential metal parts.
- (2) On and after March 26, 1943, no metal parts manufacturer shall process, fabricate, work on or assemble any nonessential metal parts.

(3) On and after April 12, 1943, no furniture manufacturer shall accept delivery of any non-essential metal parts.

- (c) Restrictions on essential metal parts. (1) During the period beginning February 23, 1943 and ending June 30, 1943, no furniture manufacturer shall consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than 25% of the total cost value of essential metal parts consumed by him in the production of furniture during his metal parts base period (other than for preferred orders).
- (2) During the three months period beginning July 1, 1943, and during each three months period thereafter, no furniture manufacturer shall consume in the production of furniture (other than for preferred orders) .essential metal parts having a total cost value of more than 121/2% of the total cost value of . essential metal parts consumed by him in the production of furniture during his metal parts base period (other than for preferred orders).

(3) The restrictions contained in paragraphs (c) (1) and (c) (2) of this order shall not apply to venetian blinds.

(4) On and after June 1, 1943, no furniture manufacturer shall consume in the production of venetian blinds more essential metal parts than 9 ounces per blind plus 2 ounces per blind for venetian blinds measuring 45" or more in width.

(d) Restrictions on patterns. (1) On and after July 1, 1943, no furniture manufacturer shall process, fabricate, work on, assemble or offer for sale more patterns than 35% of the total number of patterns offered for sale by him during the pattern base period, or 24 pat-

terns, whichever is greater.
(2) On and after March 15, 1943, no furniture manufacturer shall process, fabricate, work on, assemble or offer for sale any pattern which had not been offered for sale by him prior to that date.

(3) The restrictions contained in this paragraph (d) shall not apply to venetian blinds.

(e) Preferred order exemption. The restrictions contained in this order shall

not apply to preferred orders.

(f) Special authorization exemption. The War Production Board may grant specific authorizations to furniture manufacturers for relief from the provisions of paragraphs (b) (3), (d) (1), and (d) (2) of this order.

(g) Reports. (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall

from time to time request.

(2) On or before March 27, 1943, each furniture manufacturer shall file with the War Production Board a report on Form PD-798, stating the cost value of essential metal parts consumed by him during the metal parts base period and the number-of patterns offered for sale by him during the pattern base period.

(h) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories.

production and sales.

(i) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

- (j) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order. wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.
- (k) Appeal. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(1) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(m) Applicability of other orders. In so far as any other order heretofore or hereafter issued by the War Production Board limits the use of any material in the production of wood furniture to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(n) Communications. All reports required to be filed hereunder and all communications concerning this order shall. unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington

25, D. C., Ref: L-260.

Issued this 14th day of December 1943.

WAR PRODUCTION BOARD, . By J. JOSEPH WHELAN, Recording Secretary.

SCHEDULE A

Venetian blinds. Barber and beauty shop furniture. Store display equipment and show cases. Frames to be used in the production of furniture.

SCHEDULE B

Metal office and industrial furniture and fixtures, as covered by Limitation Order L-13-a, as amended.

Metal household furniture as defined in Limitation Order L-62, as amended. Bedding products as defined in Limitation

Order L-49, as amended.

Hospital, medical, dental and related equipment as covered by List A of Conservation Order M-126, as amended.

Refrigerators.

Wooden lockers for offices and factories. Wooden shelving.

Wooden factory and industrial equipment. Furniture specifically designed for use in offices.

Wooden filing cabinets.

Baby cribs, high chairs, toilet chairs, toilet seats, and bathinettes.

[F. R. Doc. 43-19918; Filed, December 14, 1943; 10:53 a. m.]

Chapter XI-Office of Price Administration

PART 1304-IRON AND STEEL SCRAP [RPS 4,1 Amdt. 13]

IRON AND STEEL SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith. has been filed with the Division of the Federal Register.\*

Revised Price Schedule No. 4 is amended in the following respects:

- 1. Section 1304.6 (c) is amended to read as follows:
- (c) Notwithstanding any provision to the contrary in paragraph (a) of this § 1304.6, if scrap is sold to a consumer and is to be prepared intransit pursuant

<sup>\*</sup>Copies may be obtained from the Office of Price Administration. <sup>1</sup>7 F.R. 1207, 8 F.R. 1952, 2431.

to the provisions of \$ 1304.13 (e) (4), (5), (6) or (7) or \$ 1304.14 (e) (4) or \$ 1304.15 (d) (ii) and (iii), the fact that the preparation is to be performed by the person selling the scrap to the consumer shall not preclude such person from charging a commission.

2. Section 1304.15 (d) is amended to read as follows:

(d) Unprepared scrap. (1) Except in the case of heavy breakable cast, the maximum prices established hereinabove are maximum prices for prepared scrap. For unprepared scrap, exclusive of heavy breakable cast, the maximum price shall be \$2.50 less than the maxi-- mum prices for the corresponding grade Where or grades of prepared scrap. scrap is to undergo preparation prior to its arrival at the point of delivery, such scrap is not at its shipping point as that phrase is defined in paragraph (a) hereof, until after such preparation has been completed (except as provided below in subparagraphs (2) and (3) of this paragraph (d)).

'(2) Where a consumer purchases heavy breakable cast in rail carload lots which has its point of origin in the states comprising Groups A or B in section (a) (1) above, and no adequate facilities for preparation exist at or near the point of origin, the consumer may designate a dealer or dealers to prepare such heavy breakable cast to cupola cast intransit on a preparation fee basis. The maximum preparation fee for breaking the heavy breakable cast into cupola cast shall be \$2.50 per gross ton. The maximum delivered price shall be the maximum shipping. point price for the heavy breakable cast at the shipping point in the states comprising Groups A or B plus the rail transportation charges incurred in moving the heavy breakable cast to the dealer's yard, plus the maximum preparation fee, plus the transportation charges from the dealer's yard to the point of delivery. The transportation charges from the dealer's yard to the point of delivery shall be computed in the same manner as the charges allowable under § 1304.15 (b) on an identical tonnage of scrap shipped by the dealer from his yard to the same point of delivery.

(3) If heavy breakable cast in rail carload lots is allocated by the War Production Board to a consumer lacking facilities for preparing such heavy breakable cast into cupola cast, such consumer may designate a dealer or dealers to prepare such heavy breakable cast to cupola cast intransit on a preparation fee basis. The maximum preparation fee shall be \$2.50 per gross ton. The maximum delivered price shall be the maximum shipping point price for the heavy breakable cast at the original shipping point as allowed in § 1304.15 (a) (1) above, plus the rail transportation · charges incurred in moving the heavy breakable cast to the dealer's yard, plus the maximum preparation fee, plus the transportation charges from the dealer's yard to the point of delivery. The transportation charges from the dealer's yard to the point of delivery shall be

computed in the same manner as the charges allowable under § 1304.15 (b) on an identical tonnage of scrap shipped by the dealer from his yard to the same point of delivery.

This amendment shall become effective December 14, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943.

CHESTER BOWLES, Administrator.

[F. R. Doc. 43-19879; Filed, December 13, 1943; 4:13 p. m.]

# PART 1305—Administration [Gen. RO 5,1 Amdt, 41]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.\*

General Ration Order No. 5 is amended

in the following respects:

1. Section 17.1 (d) is amended by deleting the first two sentences and substituting in place thereof the following:

An institutional user in Group II or ·III must remove from War Ration Books turned over to him, sugar stamps which expire while he has them. Also, for each week during which the person who turned over the book lives in his establishment (or in the premises maintained in connection with it) for seven (7) consecutive days or more and takes eight (8) or more meals there, he must remove eleven (11) points (as nearly as possible) of stamps currently valid for processed foods and sixteen (16) points (as nearly as possible) of stamps currently valid for foods covered by Ration Order 16.

2. Section 22.1 is amended as follows: a. The definition of "Army, Navy, Marine Corps and Coast Guard personnel" is amended to read as follows: "'Army, Navy, Marine Corps and Coast Guard personnel' means 'Army, Navy, Marine Corps and Coast Guard personnel of the United States or any Allied Nation and United States Army Specialized Training Program Reservists.' Wherever 'Army, Navy, Marine Corps and Coast Guard personnel' appears in the order 'prisoners of war' shall be deemed to be added at the end thereof."

b. The definition of "War ration book" is deleted and the following is substituted in lieu thereof:

War ration book" means War Ration Book One (OPA Form R-302), War Ration Book Two (OPA Form R-121), War Ration Book Three (OPA Form R-130). or War Ration Book Four (OPA Form R~145).

- Section 27.1 (e) is revoked.
   Section 27.2 (e) is revoked.

18 FR. 10002, 11676, 11480, 11479, 12483, 12587, 12403, 12744, 14473.

5. Section 27.2 is amended so that the phrase "fresh fish, poultry" shall read "fresh fish, fresh milk, poultry" wherever it appears in that section.

6. Section 27.2 (b) (4) is amended by inserting the words "and quarts of fresh milk" between the words "dozens of eggs" and "which the applicant can get".

This amendment shall become effective December 17, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; E.O. 9115, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 13th day of December 1943.

CHESTER BOWLES. Administrator.

[F.R. Doc. 43-19339; Filed, December 13, 1943; 4:13 p. m.]

# PART 1345—COKE [MPR 77]

BEEHIVE OVEN COKE

Revised Price Schedule No. 77 is redesignated Maximum Price Regulation 77 and is revised and amended to read as set forth herein.

In the judgment of the Price Administrator, it is necessary and proper to bring together in one regulation the provisions of Revised Price Schedule No. 771-Beehive Oven Furnace Coke Produced in Pennsylvania and those of Maximum Price Regulation No. 1212-Miscellaneous Solid Fuels Delivered from Producing Facilities insofar as they establish maximum prices for sales of beehive oven colie. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.\* Reference is hereby made to the statements of considerations accompanying the several amendments to Revised Price Schedule No. 77 and, insofar as Maximum Price Regulation No. 121 and the several amendments thereto established maximum prices for beehive oven coke, to the statements of considerations accompanying that regulation and such amendments.

The Price Administrator has ascertained and given due consideration to the prices of beehive oven coke prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be gener-

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>17</sup> F.R. 1352, 2000, 2132, 2760, 6386, 8948;

<sup>8</sup> PR. 1313, 1810, 2334, 4180, 4634, 6261. \*FR. 3237, 3989, 4483, 5341, 6002, 6336, 8557, 8621, 6938, 8348, 10529; 8 F.R. 1895, 2758, 5179, 5757, 6261.

ally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

§ 1345.51 Maximum prices for beehive oven coke. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation 77-Beehive Oven Coke, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1345.51 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

#### MAXIMUM PRICE REGULATION 77-BEEHIVE OVEN COKE

#### ARTICLE I-PROHIBITION AND SCOPE OF THE REGULATION

#### Sec.

- Prohibition against dealing in beehive oven coke at prices above the maximum.
- Prohibition against evasive practices.
- Adjustable pricing.
- Less than maximum prices.
- Geographical application.
- в. Exports and imports.

#### ARTICLE II-MAXIMUM PRICES

- 7. Maximum prices for beehive oven furnace coke produced in the Connellsville District.
- 8. Maximum prices for beehive oven foundry coke produced in Fayette or Nicholas Counties, West Virginia.

  9. Maximum prices for all other beehive
- oven coke.

#### ARTICLE III-MISCELLANEOUS

- 10. Definitions.
- 11. Taxes.
- Records and reports. 12.
- Petitions for amendment.
- Applications for adjustment.
- Licensing.
- Enforcement.

#### ARTICLE I-PROHIBITIONS AND SCOPE OF THE REGULATIONS

Section 1. Prohibition against dealing in beehive oven coke at prices above the maximum. On and after December 13, 1943, regardless of any contract or other obligation:

No person shall sell or deliver beehive oven coke at prices higher than the maximum prices established by this regula-

No person shall buy or receive beehive oven coke in the course of trade or business at prices higher than the maximum prices so established; and

No person shall agree, offer, solicit,

or attempt to do any of the foregoing. Sec. 2. Prohibition against evasive practices. (a) The price limitations set forth in this regulation shall not be evaded either by direct or indirect methods in connection with a purchase, offer, sale, delivery or transfer of beehive oven coke, alone or in conjunction with any other commodity; by increasing any commission or service or transportation charge; by changing customary allowances, discounts, or other price dif-ferentials; or by tying-agreement or

other trade understanding. (b) The price limitations set forth in this regulation shall not be evaded by deteriorating the quality of coke sold or by selling for a particular use coke of a different grade or lower quality than the coke customarily sold for such use: Provided, however, That variations in the quality of coke resulting from cir-cumstances beyond the control of the seller shall not be considered an evasion within the meaning of this section.

SEC. 3. Adjustable pricing. Any person may agree to sell at a price which may be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for. a change in the applicable maximum price is pending, but only if the authorization is necessary to promote production or distribution and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by an official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the revision might be the granting of an individual application for adjustment.

Sec. 4. Less than maximum prices. Lower prices than those established by this regulation may be charged, demanded, paid, or offered.

SEC. 5. Geographical application. This regulation shall apply only to sales and deliveries of beehive oven coke in the forty-eight states of the United States and the District of Columbia.

SEC. 6. Exports and imports—(a) Export sales. The maximum prices at which a person may export beehive oven coke shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.

(b) Imports. The provisions of this regulation shall not apply to sales of imported beehive oven coke made by a foreign seller to an importer. They shall. apply, however, to sales of such imported coke made by the importer.

#### ARTICLE 11-MAXIMUM PRICES

SEC. 7. Maximum prices for sales of beehive oven furnace coke produced in the Connellsville District—(a) Maximumprices. (1) The maximum delivered price for beehive oven furnace coke produced in the Connellsville District in handdrawn ovens and for which the total coal supply is necessarily trucked from the mine to the ovens shall be \$7.00 per net ton, f. o. b. cars ovens, plus the transportation charges from Connellsville, Pennsylvania to the place of delivery as customarily computed: Provided, That any seller of such coke shall have filed with the Office of Price Administration an affidavit stating the name, ownership, and average monthly production of the operation, the number of ovens operated, whether part or all of the ovens are handdrawn, and the distance and place from which the coal is trucked.

(2) The maximum delivered price for all other beehive oven furnace coke produced in the Connellsville District shall be \$6.50 per net ton, f. o. b. cars ovens, plus the transportation charges from Connellsville, Pennsylvania to the place of delivery as customarily computed.

(b) Selling commissions. Selling commissions or charges for the sale of beehive oven furnace coke produced in the Connellsville District shall not exceed \$.25 per net ton.

SEC. 8. Maximum prices for sales of beehive oven foundry coke produced in Fayette or Nicholas counties, West Virginia. The maximum price for beehive oven foundry coke produced in Fayette or Nicholas counties, West Virginia, shall be \$8.10 per net ton, f. o. b. ovens.

SEC. 9. Maximum prices for sales of all other beehive oven coke—(a) Rules for determining maximum prices. Maximum prices for beehive oven coke (other than beehive oven furnace coke produced in the Connellsville District and beehive oven foundry coke produced in Fayette or Nicholas Counties, West Virginia) when sold by a producer or distributor at or for delivery from the oven plant shall be determined in accordance with the rules set forth in this paragraph (a): Provided, That the persons designated may add to such maximum prices tho sums permitted by paragraph (b).

(1) The maximum price for such coke shall be the price specified in the last price circular, list or schedule issued by the seller on or before December 31, 1941, and in effect during the period December 15-31, inclusive, 1941, for sales of the same size, kind and quality of coke; to purchasers of the same general class; for the same general use; and by the same method and under the same terms of delivery.

(2) If a maximum price cannot be determined under (1), the maximum price for such coke shall be the weighted average price charged by the seller during the period December 15-31, inclusive, 1941, for deliveries of the same size, kind and quality of coke; to purchasers of the same general class; for the same general use: and by the same method and under the same terms of delivery. "Weighted average price" means that amount obtained by dividing the total sum received on deliveries in the specified period (before the deduction of any allowances or discounts or the addition of of any special service charge) by the total number of tons delivered.

(3) If a maximum price cannot be determined under (1) or (2), the maximum price for such coke shall be the maximum price, as determined under the provisions of this section, of the seller's most closely competitive producer or distributor in the same locality for the sale of the same size, kind and quality of coke; to purchasers of the same general class; for the same general, use; and by the same method and under the same terms of delivery,

(4) If a maximum price cannot be determined under (1), (2), or (3), the maximum price for such coke shall be the

<sup>\*8</sup> F.R. 4132, 5987, 7662, 9998.

price set by the Office of Price Administration in line with the level of maximum prices established by this regulation. The producer or distributor shall apply by letter to the Office of Price Administration, Washington, D. C. for the establishment of such a price setting forth (i) a description of the coke for which a maximum price is to be established; (ii) the reasons why such price cannot otherwise be determined; (iii) the maximum price requested by the applicant and a detailed explanation of how such price was determined; and (iv) the reasons why the applicant believes such price to be in line with the level of maximum prices otherwise established by this regulation. The Office of Price Administration may require the applicant to furnish additional relevant information, if necessary, and may approve, disapprove or make adjustments in the maximum price requested. Any maximum price established pursuant to this subparagraph (4) shall be subject to adjustment at any time.

(b) Additions to maximum prices. In the case of any maximum price determined under (1), (2), or (3) of paragraph (a) of this section, the following

additions may be made:

(1) A producer or distributor of beehive oven coke made in Wise County, Virginia, may add a sum not to exceed \$.25 per net ton.

(2) A producer or distributor of beehive oven coke, other than beehive oven furnace coke, made in the Connellsville District may add a sum not to exceed \$.50

per net ton.

(c) Terms of sale, discounts, special service charges—(1) Delivery in facilities owned by the seller. Where beehive oven coke for which a maximum price is determined under the provisions of this section 9 is sold f. o. b. ovens and is delivered in any transportation facilities owned, hired by, or subject to the control of the seller, there may be added to such maximum price a sum not to exceed the actual transportation costs incurred, determined in a reasonable manner, but in no event to exceed the lowest common carrier rate for a similar haul between the same points.

(2) Cash and quantity discounts and credit terms. (i) There shall be deducted from the maximum prices determined under this section 9 the cash and quantity discounts and other allowances (other than freight rate absorptions) which the same producer or distributor actually made, or made available to, purchasers during the period December 15-31, inclusive, 1941.

(ii) The rate of interest on overdue accounts or on a note, trade acceptance or other form of indebtedness accepted in payment of an account, shall not exceed the rate charged by the seller on similar transactions during the period December 15–31, inclusive, 1941.

(iii) The charge made for any special service (including, specifically but not exclusively, bags, and bagging, specially prepared sizes, split cars containing more than one size, box car loading and truck loading from any producing facilities) shall not exceed the charge made

by the seller for the same special service supplied during December 15-31, 1941; or, in the case of a special service which was not supplied during that period, the offering price which the seller then had in effect for the same special service; or, if during that period the seller neither supplied nor had in effect an offering price for the same special service, then the charge made by such person during that period for the similar service most nearly like it.

#### ARTICLE III-MISCELLANEOUS

Sec. 10. Definitions. (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Producer" means any person engaged in the business of manufacturing beehive oven coke and any person acting as the agent of a producer in the sale

of such coke.

(3) "Distributor" means any person who purchases for resale beehive oven coke at or for delivery from a coke oven and resells the same in not less than cargo or railroad carload lots without physically handling such coke; it includes any person acting as the agent a distributor in the sale of such coke.

(4) "Beehive oven coke" means all coke made in beehive ovens, whether of furnace, foundry or other grade, and includes beehive oven coke braize. It also includes beehive oven coke reclaimed from dumns.

from dumps.
(5) "Beehive oven foundry coke" means coke made in beehive ovens and commonly used in the manufacture of ferrous or non-ferrous castings.

(6) "Beehive oven furnace coke" means coke made in beehive ovens and commonly used for smelting metalliferrous ores.

(7) "Connellsville District" means Western Pennsylvania and the counties of Barbour, Monongalia, Preston and Upshur in West Virginia.

(8) "Purchases of the same general class" refers to the customary practice adopted by a producer or distributor in setting different prices for different purchasers or kinds of purchasers. For example, wholesale or retail purchasers; purchasers located in different areas; purchasers of different quantities; spot or contract purchasers. These examples are only illustrative and not exclusive.

(9) "Same general use" refers to the customary practice followed by a producer or distributor in charging different prices for beehive oven coke according to the use to which it is put. For example, coke sold for use in the manufacture of water gas; coke sold for various industrial uses; coke sold for domestic consumption. These examples are only illustrative and not exclusive.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act

of 1942 shall apply to other terms used herein.

Sec. 11. Taxes—(a) Taxes levied upon the sale of beehire oven coke. Any tax upon, or in connection with, the sale of beehive oven coke incurred or paid by the seller may be collected from the purchaser in addition to the maximum prices established by this regulation if the amount is stated separately and if the statute or ordinance imposing such tax does not prohibit the seller from separately stating and collecting it.

(b) Transportation tax. There may be added to the maximum prices herein established for beehive oven coke an amount not in excess of \$.04 per net ton of coke, to the extent that a tax was incurred by the seller of such coke on the transportation of coal under section 620 of the Revenue Act of 1942 and if the seller separately states the amount of the tax in the sale to his purchaser. Provided, however, That the amount of the tax so added need not be separately stated in cases of sales to governmental agencies.

SEC. 12. Records and reports. (a) On and after December 13, every person subject to this regulation in selling beehive oven coke and every person making a purchase of such coke from such person in the course of trade or business shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale or purchase showing: the date thereof; the name and address of the buyer and seller; the size, kind, quality, and quantity of the coke sold; the name of the plant at which it originated; the method of transportation employed in the delivery thereof; and the price paid or received therefor.

(b) Every producer or distributor of beehive oven coke whose maximum prices are established under section 9 of this regulation shall file, if he has not already done so, with the Office of Price Administration in Washington, D. C., a statement setting forth:

(1) The last price circular, list or schedule issued by the same producer or distributor on or before December 31, 1941, and in effect during any portion of the period December 15-31, inclusive, 1941.

(2) Any weighted average price charged by such person, as provided in section 9 (a) of this regulation.

(3) The rate of interest, if any, charged by such person on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period December 15-31, inclusive, 1941.

(4) The charge, if any, made by such person for any special service during the period December 15–31, 1941, inclusive, together with a description of the special service rendered, and

(5) The cash and quantity discounts and other allowances (except freight rate absorptions), which such person actually made, or made available, to purchasers during the period December 15–31, inclusive, 1941.

(c) Persons affected by this regulation` shall submit such other reports to the Office of Price Administration and keep such other records as it may from time

to time require.

SEC. 13. Petitions' for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 14. Applications for adjustment. (a) Applications for adjustment of the maximum prices established by this regulation may be filed where it can be shown (1) that total cost of production of beehive oven coke at a particular plant is above oven net realization on such coke at existing maximum prices or (2) oven net realization is inadequate in view of high operating costs for continued operation at existing maximum prices; or

(b) In addition, adjustments may be granted where the Office of Price Administration finds (1) that there exists or threatens to exist in a particular locality a shortage in the supply of beehive oven coke which aids directly in the war program or which is essential to a standard of living consistent with the prosecution of the war, (2) that such local shortage will be reduced by adjusting the maximum prices of the applicant, and (3) that such adjustment will not create or tend to create a shortage or need for increase in prices in another locality and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(c) Applications for adjustment shall be filed with the Office of Price Administration, Washington, D. C. in accordance with Revised Procedural Regulation No. 1. The applicant should set forth the full details of his case and the Office of Price Administration may require submission of full data on costs, profits and other relevant factors.

SEC. 15. Licensing. The provisions of Licensing Order No. 1,5 licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 16. Enforcement. (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

Effective date. This regulation shall become effective December 13, 1943.

Note: The reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of December 1943. CHESTER BOWLES, Administrator.

[F. R. Doc. 43-19887; Filed, December 13; 1943; 4.14 p; m.]

PART 1351-FOOD AND FOOD PRODUCTS , [MPR 305,1 Amdt. 8]

CORN MEAL, CORN FLOUR, CORN GRITS, HOM-INY, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY A DRY CORN MILLING PROCESS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1351.1754 (c) is added to read as follows:

(c) The maximum base point price for degerminated corn meal and corn grits which have been enriched by the addition of at least 1.2 milligrams of thiamine, 14 milligrams of niacin and 11 milligrams of iron per pound of such degerminated corn meal and corn grits shall be the foregoing maximum base point price for yellow corn products or white corn products as the case may be, plus an increase at the rate of 13 and 18 cents per 100 pounds, respectively: Provided, That such enriched degerminated corn meal and corn grits are placed in 100 pound cotton sacks or containers other than 100 pound cotton sacks and each such sack or container bears a tag or label stating that its contents have been enriched as above described. Any 100 pound cotton sack or container other than a 100 pound cotton sack of enriched corn meal or corn grits which does not bear said tag or label shall be priced under paragraph (a) or (b) of this section.

This amendment shall become effective December 18, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943. CHESTER BOWLES, Administrator.

[F. R. Doc. 43-19888; Filed, December 13, 1943; 4:15 p. m.]

PART 1360-MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RPS 85, Corr. to Amdt. 122]

NEW PASSENGER AUTOMOBILES

In § 1360.52 (e) (4) the reference to § 1360.52a is corrected to read § 1360.52b.

This correction shall become effective as of December 7, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943. CHESTER BOWLES, Administrator.

[F. R. Doc. 43-19889; Filed, December 13, 1943; 4:16 p. m.]

# PART 1362—CERAMIC PRODUCTS [MPR 416,1 Amdt. 2]

#### BASIC REFRACTORY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 6.7 is amended to read as set forth below:

Sec. 6.7 Maximum prices for periclase. (a) The maximum prices per net ton for periclase, run of kiln, in bulk, shall be as follows:

,	F. o. b.	F. o. b.	F. o. b.
	Newark	Livermore,	St. Louis,
	Calif.	Calif.	Mich.
#85	\$36.00	\$43, 73	\$10.40
#9 <b>0</b>	36.50	41, 23	

(b) Packaging charges. The packaging charges which may be added to the maximum prices for periclase set forth above shall be \$4.00 per net ton for shipment in paper or single cloth sacks.

This amendment shall become effective December 18, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943. CHESTER BOWLES, Administrator.

[F. R. Doc. 43-19890; Filed, December 13, 1943; 4:16 p. m.]

# PART 1377-WOODEN CONTAINERS [MPR 481,2 Amdt. 1]

KNIFE-CUT SLACK STAVES, SLACK HEADING AND SLACK COOPERAGE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 481 is amended in the following respects:

1. In section 3 (b), the second and third unlettered paragraphs, are amended to read as follows:

The term "slack heading", as used in this regulation, includes slack Heading 12%" through 24" in diameter sawed from pine or hardwood, kiln-dried and

<sup>47</sup> F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

<sup>8</sup> F.R. 13240.

<sup>\*</sup>Copies may be obtained from the Office of Price Administration. -18 F. R. 1063, 2501, 3178, 2705, 5316, 6177,

<sup>6440, 7567.</sup> 

<sup>28</sup> F.R. 16289.

<sup>&</sup>lt;sup>2</sup>8 F.R. 8940, 13391.

<sup>&</sup>lt;sup>8</sup>8 F.R. 14312.

circled, and produced in any of the states listed in the preceding paragraph.

The term "slack cooperage", as used

in this regulation, includes any barrel or keg made entirely or partially of staves covered by this regulation.

2. Section 5-(a) is amended to read as follows:

Sec. 5. Maximum prices for slack cooperage-(a) Factory or mill sales. The maximum f. o. b. factory price of any slack barrel covered by this regulation shall be the producer's f. o. b. factory price as established by the General Maximum Price Regulation for the same barrel to a purchaser of the same class plus actual increase in the cost of the materials used in the barrel, plus 5 cents per barrel.

This amendment shall become effective December 18, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943. CHESTER BOWLES, Administrator.

F.R. Doc. 43-19891; Filed, December 13, 1943; 4:15 p. m.]

> PART 1382-HARDWOOD LUMBER [MPR 368,1 Amdt. 4]

NORTHEASTERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 368 is amended in the following respect:

Table 19—New England hardwood turning squares, under section 23, is revoked.

This amendment shall become effective December 18, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943. CHESTER BOWLES. Administrator.

[F. R. Doc. 43-19892; Filed, December 13, 1943; 4:15 p. m.]

> PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 501]

HARDWOOD SMALL DIMENSION

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation

18 F.R. 4968, 8541, 10660.

has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\* Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

§ 1384.20 Maximum prices for hard-wood small dimension. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 501 (Hardwood Small Dimension) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1384,201 66 Stat. 23, 763; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631.

MAXIMUM PRICE REGULATION No. 591—HARD-WOOD SMALL DESENSION

CONTENTS Sec.

Prices higher than ceiling prohibited.

What products, transactions, and persons are covered.

8. Maximum f. o. b. mill prices; sales by manufacturers.

Delivered prices. Maximum prices for items which cannot be priced under section 3.

Maximum prices; cales by cellers other than manufacturers.

Adjustable pricing. Petitions for adjustment or amendment.

Prohibited practices.

10. Records and reports. -

Enforcement.

12. Licensing.

13. Imports.

Relation to other regulations.

Section 1. Prices higher than ceiling prohibited. (a) On and after December 18, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any hardwood small dimension at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

Sec. 2. What products, transactions, and persons are covered. This regulation covers all sales by all persons, of hardwood small dimension.

For the purposes of this regulation, "hardwood small dimension" means hardwood stock processed from logs or lumber to a point where the maximum waste is left at the producing plant and the maximum utility delivered to the buyer. It is manufactured from logs, lumber or flitches to the specific requirements of a particular plant or industry. It is in specified thicknesses, widths and lengths, or multiples thereof. It may be rough, semi-machined, or completely machined to any required specifications, and may be solid or glued. The term includes specifically, but not exclusively, items that have been sawed, surfaced, molded, glued, equalized, tenoned, bored, mortised, sanded, etc.

The term does not include: (a) Turned or shaped wood products, as de-

fined in Maximum Price Regulation No. 196;

(b) Completely assembled units of any kind such as furniture, toys, vehicles, etc., or finished units ready for use by the ultimate consumer;

(c) Stock millwork, as defined in Maximum Price Regulation No. 293;

(d) Stock screen goods, as defined in Maximum Price Regulation No. 381;

(e) Box and container parts;

(f) Shunting poles for export to Great Britain;

(g) Dogwood and persimmon shuttle blocks;

(h) Hickory picker stick blanks produced or concentrated in North Carolina and South Carolina (which are covered by Order No. 16 under § 1499.18 (c), as amended, of the General Maximum Price Regulation). All other hickory picker stick blanks are covered by this regulation. Color, however, shall be no defect, so that the maximum price for blanks consisting entirely of white sapwood shall apply to all blanks regardless of color or content of red heartwood.

Sec. 3. Maximum f. o. b. mill prices; sales by manufacturers. (a) The maximum f. o. b. mill price for hardwood small dimension shall be computed on the basis of the individual manufacturer's price-determining method in use during the month of March, 1942, using rates and costs as provided in the follow-

ing formula:

(1) Materials. Material costs for the particular item of hardwood small dimension shall not be higher than the current f. o. b. mill ceiling price plus the average inbound freight cost for the particular material during the six months period from May 1, 1943 through October 31, 1943. In the case of a manufacturer using lumber produced by him, the material cost that may be used for such lumber shall be at least \$2 below the maximum price for that lumber.

(2) Utilization. The utilization or waste factor to be used in arriving at the price of the particular item shall be the same utilization or waste factor that was used for the particular item and for the same grade of lumber (or other material), under the March 1942 pricedetermining method. If the particular item was not made during March 1942, the utilization or waste factor on the most comparable product that was manufactured in March 1942 shall be used. For the purposes of this formula the most comparable item shall be determined on the basis of kind of lumber used and similarity of cutting schedule. In all instances this utilization or waste factor must be related to dry sizes in both lumber (raw material) and the particular hardwood small dimension product.

(3) Labor. This factor shall include only labor that was treated as direct labor in the March 1942 price-determining method. To determine direct labor cost for a particular item, use the March 1942 direct labor cost plus the percentage increase in average hourly earnings between March 1942 and September 30, 1943. In computing average hourly earnings, only the earnings of workers whose wages are computed on an hourly or piece rate basis shall be used.

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

Examp	le: Av	erage h	ourly	earni	ngs	3.
March 19	942					_ \$0.50
Septemb	er 30, 19	943				60
Increase.					20	percent

Direct labor cost per item per M'BM.

March 1942\_\_\_\_\_ .\_\_\_ \$15.00 Increase\_\_\_\_\_ (20.percent)\_\_ Cost to be used under this regulation. 18.00

In cases where an application for wage increase has been filed before the War Labor Board prior to September 30, 1943, where no determination was made by the War Labor Board by October 1, 1943, the manufacturer may use the wage rate as determined by the War Labor Board on all sales made after the Board's determination.

Wage increases resulting from applications filed after September 30, 1943, may not be taken into account, except where the War Labor Board has permitted a general maximum wage rate and the application or filing is a mere formality under which the increase is approved

as a matter of course. (4) All other expenses and profit. To the net out-of-pocket cost of the particular item determined as specified in (1), (2), and (3) above, there may be added for all other expenses and for profit the same dollars-and-cents margin that was applied for such expenses and profit under the March 1942 price-determining method for the same or most closely comparable product. The addition for all other expenses and profit, it should be noted, is a fixed dollars-and-cents addition rather than a percentage addition, and is the difference between the March 1942 price of the particular item and the March 1942 out-of-pocket cost (as determined by (1), (2), and (3) using March 1942 còsts).

(5) Reports. When a manufacturer first computes a maximum price for a particular hardwood small dimension product in accordance with the provisions of this section, no report need be filed with the Office of Price Administration. However, if the manufacturer subsequently computes a higher maximum price for such product in accordance with the provisions of this section. the manufacturer shall file a report with the Lumber Branch, Office of Price Administration, Washington, D. C. contain-

(i) A description of the product;

(ii) The maximum price prior to the increase:

(iii) The new maximum price;

(iv) An explanation of the computation of the increased price under the formula explaining the factors resulting in the increase.

Where the price of a hardwood small dimension product has previously been reported pursuant to this paragraph without objection from the Office of Price Administration, the manufacturer shall not be required to report subsequent sales of the product at the same or a lower price.

SEC. 4! Delivered prices. The maximum delivered price shall be a price no higher than the maximum f. o. b. mill price plus the actual transportation charges paid or incurred by the seller in making shipments directly from the mill to the point of delivery required by the purchaser. However, it is per-

missible to quote and charge delivered prices based on rail rate times the estimated weight evened out to the nearest quarter dollar per M'BM. The estimated weight shall be that weight which has customarily been used for the particular item.

SEC. 5. Maximum prices for items which cannot be priced under section 3. If the manufacturer is unable to determine the maximum price for a hardwood small dimension item pursuant to the provisions of section 3, the maximum price shall be tentatively de-termined by the seller and reported to the Lumber Branch of the Office of Price Administration at Washington, D. C. The report shall contain a description of the product and an explanation of the method employed in arriving at the maximum price. The price may be ordered reduced if it is found to be excessive, but if the price is not disapproved within thirty days of the receipt of the report, it is approved. A seller using this pricing section can go ahead with deliveries of the hardwood small dimension at the price he has computed or requested, but he must tell the buyer that the price is subject to revision within the thirty-day period, and if the price is ordered reduced, he must refund to the buyer any excess over the final approved price.

Sec. 6. Maximum prices; sales by sellers other than manufacturers. The maximum price for hardwood small dimension sold by any seller other than the manufacturer shall be the net price determined by applying to the seller's net invoice cost of the hardwood small dimension item, not to exceed the applicable maximum price, the average dollars-and-cents mark-up, weighted by -volume of sales, over net invoice cost realized during March 1942, for all hardwood small dimension of the same class sold by the seller during March 1942 topurchasers of the same class.

Sec. 7. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery.

SEC. 8. Applications for adjustment-(a) Government contracts. (1) The term "Government contract" is used here to include any contract with the United States or any of its agencies or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." The term also includes any sub-contract under this kind of contract.

(2) Any person who has entered into or proposes to enter into a "Government contract", who believes that the maximum prices established by this Regulation impede or threaten to impede production of hardwood small dimension essential to the war program, may file an application for adjustment in accordance with the provisions of Procedural

Regulation No. 6,1 as amended, issued by the Office of Price Administration. As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must notify the buyer that the delivery is made subject to this refund.

(b) Petitions for amendment. Any person seeking an amendment of any provision of this Regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,2 issued by the Office of Price Administration.

/ Sec. 9. Prohibited practices. Any practice which is a device to get the effect of a higher-than-ceiling price is as much a violation of this regulation as an outright over-celling price. This applies to changes in credit practices and cash discounts and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

SEC. 10. Records. Persons subject to this Maximum Price Regulation No. 501. shall keep available for inspection by the Office of Price Administration for a period of not less than two years records

of the following:

(a) By the manufacturer. Records of each sale or delivery of hardwood small dimension showing the name and address of the purchaser, the date of sale, a description and identification of the item. the net price received, and a detailed description of the computation of the maximum price under the formula in section 3 above.

(b) By a seller other than the manufacturer. Records of the kind such seller has customarily kept, relating to the prices of all hardwood small dimension sold, and in addition, records showing the basis upon which maximum prices have been determined.

(c) By purchasers. A record showing the name and address of the seller, the date of the purchase, a description of the hardwood small dimension purchased, and the price paid.

SEC. 11. Enforcement. Persons vio-lating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

Sec. 12. Licensing. The provisions of Licensing Order No. 1,3 licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.
SEC. 13. Imports. The maximum

price of hardwood small dimension lumber to be imported into the continental United States for resale shall be the maximum price which the purchaser would have been permitted to pay to the

<sup>&</sup>lt;sup>1</sup>7 F.R. 5087, 5664; 8 F.R. 6173, 6174. <sup>2</sup>7 F.R. 8961; 8 F.R. 3313, 3533.

foreign supplier for such hardwood small dimension under the applicable maximum price regulation on December 13, 1943.

SEC. 14. Relation to other regulations. Any sale or delivery covered by this regulation is not subject to the General Maximum Price Regulation.

This regulation shall become effective December 18, 1943.

Note: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

Issued this 13th day of December 1943. CHESTER BOWLES, Administrator.

[F. R. Doc. 43-19881; Filed, December 13, 1943; 4:11 p .m.]

PART 1418—TERRITORIES AND POSSESSIONS [MPR 288,1 Amdt. 16]

SPECIFIC MAXIMUM PRICES IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 288 is amended in the following respects:

- 1. New subparagraphs (1) and (2) are added to § 1418.355 (a) to read as follows:
- (1) "Sale at wholesale" means a sale of a commodity by a person who re-sells it to any person other than an ultimate consumer and includes any sale to the United States, or any government, or any of its political subdi--visions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, commercial or industrial user, or any agency of the foregoing.
- (2) "Sale at retail" means a sale or selling to an ultimate consumer.
- 2. Section 1418.363 (p) Table XVI is added to read as follows:
- (p) Table XVI: Maximum prices per pound for reindeer meat.

•	Whole- sale 1. o. b. range	Retall
Whole adult #1 carcass. Split adult #1 carcass (halves) Hind quarters and halves—adult #1 carcases. Front quarters and halves—adult #1	\$0.16 .17	\$0.26 .27
carcasses Stewing meat Shoulder roast Rib chops Loin chops		.22 .23 .31 .31
Round steak Leg roast		.41 .42 .38

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

This amendment shall become effective as of December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943. CHESTER BOWLES, Administrator.

[F. R. Doc. 43-19883; Filed, December 13, 1943; 4:12 p. m.]

PART 1418-TERRITORIES AND POSSESSIONS [MPR 395,3 Amdt. 10]

MAXIMUM PRICES IN THE VIRGIN ISLANDS OF THE UNITED STATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith. has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 395 is amended in the following respects:

- 1. Section 12 (a) (6) is added to read as follows:
- (6) "Direct cost" means landed cost as defined in section 12 (a) (5), plus the appropriate maximum local trucking charges and if sold in the islands of St. Thomas or St. John, the applicable trade tax imposed by the municipality.
- 2. Section 28 (a) is amended by changing the reference to "section 12 (a) (5)" to read "section 12 (a) (6)".
- 3. Section 31 is added to read as follows:

SEC. 31. Maximum prices at retail and at wholesale for imported millinery sold or delivered in the Virgin Islands of the United States-(a) Definitions. When used in this section 31 the term:

- (1) "Millinery" includes all customary forms of men's, boys', ladies', misses' and children's headwear of whatever material composition and style, but does not include infants' headwear or veils.
- (2) "Class of millinery items" means a group of millinery products all of which are identically priced and received in one delivery.
- (b) Pricing method. (1) Maximum retail prices for imported millinery shall be computed by multiplying the direct cost to the importer by the applicable multiplier set forth in Table XVII below:

TABLE XVII-IMPORTED MILLINERY

I ALLEW AT TAX	Eales in the	Fales in the municipality of St. Croix
Multiplicr	1.49	1.00

<sup>&</sup>lt;sup>2</sup>8 F.R. 6621, 8873, 9996, 11438, 12661, 13345, 14144, 15865, 16062, 16298.

- (2) The wholesale price is subject to agreement between buyer and seller, but in no event may the wholesale price exceed the maximum retail price for the commodity.
- (3) No sales at retail in excess of the retail price computed in accordance with the method stipulated in subparagraph (b) (1) herein shall be permitted, regardless of the number of transfers of the commodity which may occur in the Virgin Islands of the United States.
- (c) Price lists and statements-(1) Price lists to be filed by the seller at retail. The seller at retail shall file with the Office of Price Administration in St. Thomas or St. Croix not later than January 3, 1944, a statement of the direct cost to the importer, his applicable multiplier and his maximum retail selling price for each class of millinery items in stock on the date when he submits his statement to the Office of Price Administration. Thereafter, the retailer shall notify the Office of Price Administration of his ceiling prices by filing a supplementary price list, setting forth the same information for each class of millinery items subsequently acquired by him within three days after placing such class of millinery items on sale.
- (2) Price statement required of the seller at wholesale. Any person, including the importer, who sells millinery products to a buyer in the course of business shall furnish such buyer with a written statement of the direct cost of each class of millinery items to the importer, and shall certify this information to be true and correct.

This amendment shall become effective December 27, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943. CHESTER BOWLES, Administrator.

[F. R. Doc. 43-19393; Filed, December 13, 1943; 4:14 p. m.]

> PART 1429—POULTRY AND EGGS IRMPR 269, Amdt. 211

# POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1429.21 (a) (2) Table B, Item (7) is amended to read as follows:

<sup>17</sup> FR. 10581, 11012; 8 FR. 23, 567, 2158, 2445, 6964, 3844, 3184, 12549, 13166.
18 FR. 3096, 3849, 4347, 4486, 4724, 4978,

<sup>4848, 6047, 6962, 8511, 9025.</sup> 

<sup>17</sup> P.R. 10703, 10864, 11118; 8 P.R. 567, 856, 878, 2289, 3316, 3419, 3792, 6736, 9299, 16340, 11691, 13302, 13303, 13813, 14016.

TABLE B-MAXIMUM PERMITTED INCREASES FOR SALES OF POULTRY ITEMS

Eeller and type of sale made	Buyer	Quantity and form of sale	Item sold	Base price to which increase is added	Maximum increase in cents per pound for any type of seller for items delivered at buyer's cus- tomary receiving point
	•	•			•
(7) Any type of seller.	United States Govern- ment or any a gon cy thereof.	Anyquan- tity.	Any dressed poultry item prepared, packaged, and shipped according to the buyer's specifications.	Maximum base price at seller's shipping point.	1 cent plus—lowest "freight rate" from seller's shipping point to buyer's customary receiving point in cents per pound If shipments are made in less than carlot quantities seller may add lowest actual freight rate from seller's shipping point-to buyer's customary receiving point in cents per pound, instead of lowest "freight rate";
	1		[	]	,

This amendment shall become effective December 18, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 43-19884; Filed, December 13, 1943; 4:11 p. m.]

PART 1499—COMMODITIES AND SERVICES [SR 14B to GMPR]

#### BREAD AND BAKERY PRODUCTS

The purpose of Supplementary Regulation No. 14B to the General Maximum Price Regulation is to provide a more logical and convenient arrangement for certain provisions relating to bread and bakery products, heretofore embodied in Revised Supplementary Regulation No. 14,2 and several additional provisions which are incorporated in the new regulation. Revised Supplementary Regulation No. 14B applies to all sales of bread and bakery products except such, sales as are now or hereafter subject to the General Maximum Price Regulation, Maximum Price Regulations Nos. 262, 319 and 495 and section 1.21 of Revised Supplementary Regulation No. 14.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

§ 1499.2251 Maximum prices for bread and bakery products. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Supplementary Regulation No. 14B (Bread and Bakery Products) which is annexed hereto and made a part hereof; is hereby issued.

AUTHORITY: § 1499.2251 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SUPPLEMENTARY REGULATION No. 14B—BREAD AND BAKERY PRODUCTS

ARTICLE I-GENERAL RULE

Sec.

1. Maximum prices.

ARTICLE II-GENERAL MODIFICATIONS

- 2. Weight increases.
- Single maximum prices for all sales at wholesale.
- 4. Similar products.
- 5. Competitive sellers of the same class.
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ARTICLE III—ALTERNATIVE MAXIMUM PRICES IN CERTAIN CASES

- 7. Pan bread in certain areas.
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ARTICLE IV—NEW MAXIMUM PRICES FOR CERTAIN
CASES

9. Bread crumbs.

#### ARTICLE I-GENERAL RULE

SECTION 1. Maximum prices. All sales of bread and bakery products shall be and remain subject to the General Maximum Price Regulation save as otherwise provided herein and save as to such products as are subject to Maximum Price Regulations Nos. 262, 319 and section 1.21 of Revised Supplementary Regulation No. 14 and save as to sales subject to Maximum Price Regulations Nos. 421, 422 and 423.

#### ARTICLE II-GENERAL MODIFICATIONS

SEC. 2. Weight increases. Whenever the weight of any loaf or product is increased over the weight of the loaf or product as produced in March, 1942, the new loaf or product shall be deemed a new product; and the maximum price of every seller of such new loaf or product must be determined under section 2 (b) or section 3 of the General Maximum Price Regulation: Provided, That any baker may increase the weight of his loaf of bread up to a weight 25 percent over the weight of his loaf of bread as produced in March 1942, in which case the

baker and all other sellers of such increased loaf of bread may increase their maximum prices therefor proportionately, per ratio of weight.

SEO. 3. Single maximum prices for all sales at wholesale. (a) All sales of bread and rolls at wholesale as defined in this section by any seller shall be deemed sales to one class of purchasers; and discounts previously given by any seller in the case of any of his sales at wholesale of said products may be discontinued; and to this end:

(b) The maximum price for all sales of bread at wholesale by any seller shall hereafter be such seller's wholesaler's list price as existing in March 1942, for the same or most nearly similar commodity or, if none, such list price of his most closely competitive seller or, if none, a maximum price as determined under section 3 of the General Maximum Price Regulation.

(c) For the purposes of this section, "sales at wholesale" include all sales of the seller to retailers, restaurants and hotels.

Sec. 4. Similar products. In the case of bread and bakery products one product is similar to another if:

- (a) It has substantially the same cost at the time of the determination;
- (b) It is made from the same basic type of dough, and
- (c) It has the same weight when completely finished and ready for wrapping or when ready for sale if sold unwrapped.

Sec. 5. Competitive sellers of the same class. In the case of bread and bakery products one person shall be deemed a competitive seller of the same class only if such competitor:

(a) Performs the same production or marketing function (for example, manufacturing, distributing, retailing)

- (b) Of a similar type (for example, department store, chain store, specialty store, cut rate store, house to house seller)
- (c) Deals in the same type of commodities,
- (d) Sells to the same type of purchaser (for example, to wholesalers, retailers, route sellers or ultimate consumers), and
- (e) Services the same or a similar area. Sec. 6. Changes in compliance with food distribution orders. Whenever a seller makes any change in a product or practice pursuant to a food distribution order no change in the maximum price of his products as theretofore existing need be made unless such increase or decrease in maximum price is specifically required by some other provision hereof or of some other regulation or order.

# ARTICLE III—ALTERNATIVE MAXIMUM PRICES IN CERTAIN CASES

SEC. 7. Pan bread in certain areas—
(a) (1) Maximum prices. In the following areas the maximum prices for sales of pan bread shall, at the option of the seller, be either the maximum prices as hereinbefore established or the following maximum prices:

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

18 F.E. 3096, 3849, 4347, 4486, 4724, 4987,

<sup>&</sup>lt;sup>18</sup> F.E. 3096, 3849, 4347, 4486, 4724, 4987, 4848, 6047, 6962, 8511, 9025, 9991, 11955, 13724, <sup>2</sup>8 F.E. 9787, 9880, 10432, 10566, 10433, 10668, 10731, 10759, 10763, 10939, 10674, 10984, 10758, 11174, 11182, 11247, 11215, 11479, 11572, 11764, 11873, 12325, 12406, 12139, 12550, 12633, 12557, 12710, 12669, 12950, 13059, 13171, 13180, 13257, 13846.

Areas	Net weight per loaf	Eales at Whole- rale	Eales at retail	Eales at retail by chain etero privato label
In the State of Utah, in Fargo, North Dakota, and Moorhead, Minnesota.  In the District of Columbia	16 to 18 cz   10 to 20 cz   10 to 20 cz   124 to 27 cz   15 to 17 cz   131 to 30 cz   23 to 25 cz   24 to 25 cz   25 to 25 cz	Cents 73/2 10 7 14 9	Cents 8½ 11 12 8	Cents 734 9 19 7 7 7 9 9 9 9 9 9 9 9 9 9 9 9 9 9

- (2) Definitions. For the purposes of this section the following terms shall have the following meanings:
- (i) "Chain store private label" refers to pan bread sold under a distinctive name 'or label' in one or more retail grocery or general merchandise stores, comprising the whole or part of a chain of four or more such stores, and operating as cooperatives or under a common trade name or common ownership. Each of said four stores must customarily do more than 60 percent of its business in merchandise other than bakery products.
- (ii) "Pan bread" means any bread baked in a pan, form or screen.
- SEC. 8. Cracker meal—(a) Maximum prices. Maximum prices for sales of cracker meal in containers of five pounds or more by any person other than a person subject to Maximum Price Regulations Nos. 421, 422 or 423, shall be the maximum prices determined in accordance with the provisions of § 1499.2 and other applicable sections of the General Maximum Price Regulation, or:
- (1) 6.55 cents per pound delivered at any point within the District of Columbia or any state other than California, Oregon, and Washington; and
- (2) 7.35 cents per pound delivered at any point within the states of California, Oregon and Washington.
- (b) Notification of change in maximum prices. With the first delivery of cracker meal in any case where the seller determines a new maximum price pursuant to this section, he shall:
- (1) Supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, brand and container type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification. You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulation No. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after making such change in the maximum price of an item, and with the first shipment after the 60 day period to each person who has not made a purchase within that time, the processor shall include in each case or carton containing the item the written notice set forth above.

(2) Notify each purchaser of the item from him who is a distributor other than a wholesaler and retailer of such change in maximum price by written notice attached to or written on the invoice is sued in connection with his first transaction with such purchaser as follows:

(Incert date)

NOTICE TO DISTRIBUTORS OTHER THAN WHOLE-SALERS AND RETAILERS

Our OPA celling price for (describe item by kind, variety, brand and container type and size) has been changed from 8\_\_\_\_\_\_\_ to 8\_\_\_\_\_ under the provisions of Supplementary Regulation 14B. You are required to notify all wholesalers and retailers for whom you are the customary type of supplier, purchasing the item from you of any allowable change in your maximum price. This notice must be made in the manner prescribed in section 8 of Supplementary Regulation 14B.

# ARTICLE IV—NEW MAXIMUM PRICES' IN CERTAIN CASES

- SEC. 9. Bread crumbs—(a) Maximum prices. (1) The maximum price of every person for the sale or delivery of bread crumbs to any person other than an ultimate consumer shall be 10 cents per pound.
- (2) The maximum price of every person for the sale or delivery of bread crumbs to an ultimate consumer shall be 12½ cents per pound.
- (3) To the foregoing maximum price, each seller of bread crumbs may add his actual packaging and transportation costs.
- (4) If the figure resulting contains a fraction of one-half cent or more, it may be adjusted to the next higher cent, or if less than one-half cent, to the next lower cent.
- (b) Definitions. (1) "Ultimate consumer" is any person purchasing bread crumbs for use in prepared foods. However, it does not include cafes, cafeterias, hotels or other eating places purchasing bread crumbs for use in prepared foods sold or distributed to their customers, or institutions, public or private, purchasing bread crumbs for use in prepared foods for sale or distribution to their customers or inmates.

This regulation shall become effective December 18, 1943.

Issued this 13th day of December 1943.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 43-19886; Filed, December 13, 1943; 4:13 p. m.] PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 63]

HICKORY PİCKERSTICK ELANES, COLOR NO DEFECT

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Supplementary Regulation 14 to the General Maximum Price Regulation is amended by revoking section 6.13.

This amendment shall become effective December 18, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 43-19334; Filed, December 13, 1943; 4:15 p. m.]

PART 1499—COMMODITIES AND SERVICES [Rev. SR 14 to GMPR, Amdt. 65]

MODIFICATIONS OF MAXIMUM PRICES ESTAB-LISHED BY GENERAL MAXIMUM PRICE REG-ULATION

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Supplementary Regulation No. 14 is amended in the following respects: Sections 1.12, 1.14, 1.19, 1.23 and 1.24 are hereby revoked.

This amendment shall become effective December 18, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 43-19385; Filed, December 13, 1943; 4:13 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 289,3 Amdt. 38]

FLUID MILK SOLD IN BULK

A statement of the considerations involved in the issuance of this amend-

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>&</sup>lt;sup>1</sup>8 F.R. 9787, 9380, 10432, 10566, 10433, 10663, 10731, 10759, 10763, 10939, 10874, 16924, 10758, 11174, 11182, 11247, 11215, 11479, 11572, 11754, 11873, 12325, 12406, 12139, 12550, 12633, 12557, 12710, 12669, 12950, 13059, 13171, 13180, 13257, 13248

<sup>\*8</sup> P.R. 3036, 3849, 4347, 4486, 4724, 4937, 4848, 6047, 6962, 8511, 8025, 8991, 11955, 13724.

<sup>&</sup>lt;sup>3</sup>8 P.R. 5165, 7566, 6357, 7196, 7599, 7670, 8365, 8180, 9521, 9386, 9883, 10513, 11811, 13060, 13721.

ment, filed simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 280 is amended in the following respects:

- 1. Section 1351.807 (a) (1) (iii) is amended by changing the word "and" at the end thereof to "or".
- 2. Section 1351.607 (a) (1) (iv) is added to read as follows:

(iv) Low established maximum prices for fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions in such community in relation to the established maximum prices for purchases of milk from producers for resale as fluid milk in such community, as a result of which distributive facilities for fluid milk sold at wholesale in bulk (other than in glass or paper containers) to stores, hotels, restaurants and institutions in such community have been or will be impaired; and

This amendment shall become effective on the 13th day of December 1943.

(56 Stat. 23, 765; Pub. Law, 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 43-19903; Filed, December 13, 1943; 4:43 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,1 Amdt. 98]

#### PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*•

Appendix A is amended by adding, in its alphabetical place, the following:

Raisins dried for sale or transfer in clusters on the original stems.  $\,$ 

This amendment shall become effective December 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 13th day of December 1943. CHESTER BOWLES.

Administrator.

[F. R. Doc. 43-19882; Filed, December 13, 1943; 4:11 p. m.]

PART 1499—COMMODITIES AND SERVICES [SR 151 to GMPR, Amdt. 15]

FLUID MILK IN GLASS OR PAPER CONTAINERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Supplementary Regulation No. 15 to the General Maximum Price Regulation is amended, in the following respects:

- 1. Section 1499.75 (a) (9) (i) (a) (3) is amended by changing the word "and" at the end thereof to "or".
- 2. Section 1499.75 (a) (9) (i) (a) (4) is added to read as follows:

(4) Low established maximum prices for fluid milk sold at retail or at wholesale in glass or paper containers in such community in relation to the established maximum prices for purchases of milk from producers for resale as fluid milk in such community, as a result of which distributive facilities for fluid milk sold at retail or at wholesale in glass or paper containers in such community, have been or will be impaired; and

This amendment shall become effective on the 13th day of December 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 43-19902; Filed, December 13, 1943; 4:43 p. m.]

PART 1383—SHOES AND SHOE FINDINGS [MPR 420, Amdt. 3]

HARDWOOD HEEL BLOCKS AND FINISHED HARDWOOD HEELS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

- 1. In section 3 (b) (2), the last sentence, the figure \$0.0067 is changed to \$0.0109.
- 2. In section 3 (b) (4), the table of prices is amended by inserting the following additions for extra operations under Column I:

3. In section 3 (c) (1), the phrase 3½" square" in the second sentence of the paragraph following the table of prices, is amended to read "3½ square inches" and the following sentence is added to this paragraph to read as follows:

As used in this paragraph, the term "toplift" means a toplift made of leather or rubber (including synthetic rubber).

4. In section 3 (c) (1) a new paragraph is added to read as follows:

The maximum price for finished heels with a toplift made of materials other than leather or rubber (including synthetic rubber) shall be the applicable maximum price set forth above for finished heels with a 9-iron leather or rubber toplift, 3½ square inches or less, reduced by \$.025 and increased by the actual cost of the toplift material, not to exceed \$.025 per pair.

5. In section 3 (c) (2), the table of prices is amended to read as follows:

Style	Col-	Col-	Col-
	umn	unin	umn
	L	II	III
Center Slot Cuban	\$0.00933 .015 .03 .015 .015 .015 .005	\$0.009333 .015 .03 .015 .015 .005	\$0.00933 .015 .03 .015 .015 .015 .005

6. In section 3 (c) (3), the table of prices is amended by inserting after the word "lizard" in both places in which it appears the word "celluloid", by inserting the following additions for extra operations under Column I and by adding footnote 1 to read as follows:

umn I	Col				perations	O
	em-	and	uered	lacc	celluloid,	Black
\$0.01					ssed 1	
	em-	1 and	cquere	ed, la	and color	White
.03					ssed 1	oď
	uloid	cell	lizard,	and	alligator	Black
. 05					ie tone 1	
					alligator	
. 07					tone 1	fw

- <sup>1</sup>Notwithstanding the provisions of section 3 (c) (1), no charge in addition to this extra may be made for celluloid over 10/1000.
- 7. Section 3 (c) (4) is added to read as follows:
- (4) Nu-Way Shoe Products Company. Notwithstanding the provisions of subparagraphs (1), (2) and (3) above, the maximum prices for sales of finished hardwood heels to persons other than shoe manufacturers by the Nu-Way Shoe Products Company, 510 Culver Way, St. Louis, Missouri shall be as follows:

' Per	dozen
Cuban celluloid heels	82.37
Celluloid Louis heels	2, 62
Lacquered and embossed Louis heels	2.77
Lacquered and embossed cuban heefs	2, 52
Leather covered cuban heels	
Leather covered Louis heels	

This amendment shall become effective December 20, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of December 1943.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 43–19942; Filed, December 14, 1943; 11:49 a. m.]

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>&</sup>lt;sup>1</sup>8 F.R. 11048, 11383, 11483, 11513, 11753, 11812, 12026, 12297, 12312, 12446, 12485, 12548, 12560, 12693, 13301, 13492, 13980, 14346, 14472, 14473, 14476, 14477, 14620, 14681, 14764, 14766, 14844, 15380, 15594.

<sup>17</sup> FR. 8959, 9819, 10584, 11066; 8 FR. 1201, 6443, 8614, 9026, 11873, 13255, 13395, 13724, 15197.

<sup>&</sup>lt;sup>1</sup>8 F.R. 9331, 9567, 15193.

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ABAILYTURES

[MPR 127,1 Amdt. 15]

#### FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 127 is amended in the following respects:

1. Section 1400.82 Appendix A (b) (3) is amended to read as follows:

(3) For finished piece goods which are produced from grey goods manufactured in and imported from a foreign country, the basic grey goods cost shall be:

(i) Where such goods (a) are produced from grey goods imported by the converter pursuant to a contract with the foreign seller or his agent entered into prior to November 10, 1943, and (b) are delivered to the purchaser on before January 19, 1944, no higher than the actual landed duty paid cost of the grey goods;

(ii) In all other cases (except as provided in paragraph (w) of this section) no higher than the lower of (a) the maximum price which would be applicable to the grey goods if manufactured in the United States and sold to the converter on the day the contract for the sale of the finished piece goods is made or on the day the goods enter into the finishing process, whichever is earlier, or (b) the landed duty paid cost of the grey goods.

- 2. In § 1400.82 subparagraph (c) (6) is added to read as follows:
- (6) For the purpose of determining the grey freight which may be included in computing the maximum price for finished goods produced from imported grey goods the port of entry in the continental United States shall be deemed the point of shipment.
- 3. Section 1400.82 Appendix A (s) (1) is amended by inserting after the first sentence the following proviso: "Provided, That a producer, without regard to the foregoing, may honor a preference rating for goods to be exported."

4. In § 1400.82, paragraph (w) is added to read as follows:

(w) Maximum price for finished piece goods produced from certain imported grey goods. (1) On and after January 20, 1944, regardless of any contract, agreement or other obligation the maximum price for finished piece goods which are produced from grey goods manufactured in a foreign country and imported into the continental United States by the converter pursuant to a contract with the foreign seller or his agent entered into prior to November 10, 1943, shall be the sum of the actual landed duty paid cost of the grey goods and the four items set forth in subparagraphs (2), (3), (4), and (5) of paragraph (a) of this § 1400.82, which sum may not be increased by the use of any division factor otherwise than

in accordance with paragraph (h) of this section.

(2) Every contract of sale or involce for finished piece goods the maximum price for which is determined under this paragraph (w) shall contain in addition to the information set forth in paragraph (a) of § 1400.77 a statement that the maximum price is determined under subparagraph (w) of § 1400.82 of Maximum Price Regulation No. 127, and that no mark-up whatsoever over that price is permitted on any resale of the fabric.

(3) Every converter pricing finished piece goods under subparagraph (b) (3) (i) and (w) of this § 1400.82 shall on or before January 3, 1944, file a report of all commitments entered into prior to November 10, 1943, for the purchase of the imported grey goods with the Consumer Goods Division, Office of Price Administration, Washington, D. C. Such reports shall contain:

(i) Name and address of the converter.(ii) Name and address of the foreign seller

or his agent.
(iii) Nature of commitment and date

thereof.
(iv) The total yardage involved in each commitment.

(v) A description of the grey goods sufficient to identify them in the cellers records maintained pursuant to § 1400.75 hereof.

This amendment shall become effective December 20, 1943.

Note: All reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 756; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of December 1943.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 43-19943; Filed, December 14, 1943; 11:48 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,1 Amdt. 87]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.°

Section 7.14 is added to read as follows:

Sec. 7.14 Adjustment in base-period use of industrial user whose production in jourth quarter of 1942 was limited by General Preference Order M-71. (a) An industrial user whose industrial use of rationed fats and oils during the fourth quarterly period of 1942 was limited by General Preference Order M-712 may apply for an adjustment of his base-period use of rationed fats and oils during that period. The application must be made on OPA Form R-315 to the board

with which he's registered. He must give the following information in his application:

(1) The number of pounds of each item of rationed fats and oils of which he made an industrial use during each of the fourth quarters of 1940, 1941 and 1942;

(2) A statement that his industrial use of rationed fats and oils during the fourth quarter of 1942 was limited by General Preference Order M-71.

(b) If the board finds that his industrial use of rationed fats and oils was limited by General Preference Order M-71, it shall add to his base-period use of those foods for the fourth quarter of 1942 the smaller of the two figures derived in the following way:

(1) 13 percent of his base-period use of rationed fats and oils; or

(2) The difference between his baseperiod use of those foods in the fourth quarter of 1942, and the average of his industrial use of those foods during the fourth quarters of 1940 and 1941

In addition, and notwithstanding the provisions of section 7.6 (b) of this order, the board shall increase his allotment for the fourth quarter of 1943 on the basis of the applicant's adjusted base-period use. The provisions of section 7.6 (d) apply in determining whether or not the applicant shall be entitled to receive a certificate with respect to any such increase in his allotment, and in determining the amount of the certificate

This amendment shall become effective December 14, 1943.

Note: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 14th day of December 1943.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 43-19344; Filed, December 14, 1943; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES [Rev. SR 11 to GMPR, 2 Amdt. 39]

EXCEPTIONS OF COMMODITY TRANSACTIONS FROM THE GENERAL MAXIMUM PRICE REGULATION

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>&</sup>lt;sup>1</sup>8 F.R. 3057, 4851, 6181, 9023, 12934.

<sup>&</sup>lt;sup>1</sup>8 F.R. 13128, 13394.

<sup>&</sup>lt;sup>2</sup>6 F.R. 6797; 7 F.R. 543, CE19, 7435, EG32, 9484, 9807; 8 F.R. 315.

<sup>18</sup> F.R. 4978, 6055, 6363, 6547, 6615, 6352, 6964, 7201, 7270, 7349, 7592, 7600, 7653, 8710, 8754, 8025, 8218, 9016, 9219, 10304, 10759, 10002, 11572, 11738, 11814, 11951, 12406, 12793, 13171, 13513.

<sup>13171, 13513.</sup> \*8 F.R. 3096, 3849, 4347, 4486, 4724, 4848, 4978, 6047, 6962, 8511, 9025, 9331, 11955, 13724.

Section 2.10 of Revised Supplementary Regulation No. 1 is amended by the deletion of the words "logs and pulpwood" from paragraph (c).

This amendment shall become effective December 20, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of December 1943.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 43-19945; Filed, December 14, 1943; 11:49 a. m.]

# TITLE 43—PUBLIC LANDS: DEPART-MENT OF THE INTERIOR

Chapter I—General Land Office (Appendix 1)

[Public Land Order 195]

MINNESOTA AND WISCONSIN

ORDER ENLARGING THE UPPER MISSISSIPPI RIVER WILD LIFE AND FISH REFUGE

By virtue of the authority vested in the President and in order to effectuate further the purposes of the Upper Mississippi River Wild Life and Fish Refuge Act (43 Stat. 650; U.S.C., title 16, secs. 721–731), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-designated tracts of land and land under water, acquired by the United States in connection with the improvement of navigation in the Mississippi River, and determined by the Secretary of the Interior to be suitable for the use of the Department of the Interior as a breeding place for migratory and other wild birds, game and fur-bearing animals, and fishes and other aquatic animal life, and for the conservation of wild flowers and aquatic plants, are hereby added to and reserved as a part of the Upper Mississippi River Wild Life and Fish Refuge:

### MINNESOTA

LOCK AND DAM NO. 6, WINONA COUNTY

Acres

Wi-1A and 1B	19,96
Wi-114	12.75
Wi-115	20, 20
Wi-116	36.07
The tracts described aggregate 88.98 acrcs.	•
LOCK AND DAM NO. 7, WINONA COUNTY	
Tract:	Acres
Wi-7	27, 73
Wi-9	37. 70
Wi-12	C6. 50
Wi-13	47. 12
Wi-42	54, 60
W1-43	35, 20
Wi-44	10.80
Wi-47A	35, 55
Wi-47B	1.65
Wi-48	8, 15
The tracts described aggregate 325.00 acres.	

<sup>&</sup>lt;sup>h</sup> Formerly Part 298.

Tract:

#### WISCONSIN

# LOCK AND DAM NO. 7, LACROSSE COUNTY

Tract:	Acres
La-78A	34, 36
La-110B-2	1.67
La-110F	0.70
La-128.	5. 25
La-130B	20. 25
La-161	39. 45
La-170	39. 22
La-178	40.00
La-179	40.00
- La-180	40.00
La-181	40.00
La-182	40.00
La-183	28.72
La-185	49. 55
La-186.	40.00
La-187	40.00
La-188	40.00
La-189	40.00
La-196	40.00
	5.50
La-208.	
La-211	47.06
La-218	40.00
La-219	40.00
La-220	40.00
La-221	40.00
La-222	40.00
La-223	38.00
La-234	
La-239A	11.40
La-239B	9.25
La-239C	10.00
La-242A	8.85
La-242B	6.35
La-245A	6.15
La-246	31.30
La-247	22.60
La-266	40.00
La-274.	33.08
La-275	64.40
La-297.	39, 52
La-308B	0.75
La-312.	

#### The areas described aggregate 1,268.88 acres.

#### LOCK AND DAM NO. 8, LA CROSSE COUNTY

Tract:	Acres
La-16 La-32	 9,32
La-33	
La-41.	 15.10
La-42	
La-64 La-81	
La-82	 40.00
La-83 (part)	 12.92
La-84C La-85B	 1.23
La-98	 40.00
La-99	 40.00
La-100A	 9.30
La-104 La-139B	 40.00 21.69
The areas described aggregate 461.34 acres.	

#### The areas described aggregate 461.34 acres.

LOCK AND DAM NO. 8, VERNON COUNTY	
Tract:	Acres
V-15 (part)	13, 44
V-16.	50.39
V-22	40.00
V-23:	53.75
V-31	
V-32	40,00
37_EED	٠
V-55C	
V-55D	1.78
V-55E	1
V-56B	0,20
V-73A	0, 40
V-102	36, 80
V-104	25, 95
V-110	40,00
V-110 -V-113B	°21.95
V-114A	31, 25
V-118	40,00
V-119	40,00
V-120	24, 40
V-122	40.00
V-127A	3.40
V-128B	22, 99
V-129A	2, 18
37_191 A	00 00
V-132A V-132B	ام مر
V-132B	36. Z <del>1</del>
V-134A	23, 80
V-152B	
V-161A	19,80
V-161B	14.00
V-169	40 00

# Wisconsin—Continued Lock and-dam no. 8, vernon county—continued

DOGE AND ESSE NOT OF TERMON COUNTY COM	
Tract:	Acres
V-167A	
77. 107D	
V-167B	• 543, 60
V-171A	4
V-171B	Ų.
V-1710	-1
V-171D	10.30 د
V-171E	a
V-171F	.J
V-175A	
V-175B	27. 29
V-181	40,00
V-182	
V-104	11,04
V-183	ຸໜຸໜຸ
V-187A	· \$64.00
V-101 D	.,
V-190	27.00
V-107	/A 0 0 1
V-108A 37-100D	104 00
V-198B	334,03
V-201B	4.30
V-207	. 23 60
V-203A	8.30
37 01013	46.07
V-212B	. 15,40
V-228	0.20
V-266	. 40.00
V-20(	. 417.171
V-285	. 40.00
V-286	40,00
V-287	40,00
37-201	30 04
V-909 A	100700
V-292A V-292B	118, 60
V-302	* K* 10
V-303B	. 0.70
V-304	. 51, 13
- V-318	40,00
V-319B	. 12.08
V-320	16.68
V-321	30,60
V-322	16, 20
V-321	. 33, 63
V-325	32,61
T-040	02,00
V-326	. 50.80
V-327B	. 40,00
V-330A	. 54,60
V-331A	2,93

The areas described aggregate 1,806.60 acres.

The above-listed tracts, aggregating 3,950.70 acres, are shown upon War Department maps, entitled "Mississippi River 9-Foot Project, Lock & Dam No. 6 (Trempealeau), Land & Flowage Rights", Sheets No. 1 and No. 2, dated November, 1933, revised June, 1935; "Mississippi River 9-Foot Project, Lock & Dam No. 7 (LaCrosse), Land & Flowage Rights", Sheets No. 1 and No. 2, dated October, 1933, and "Upper Mississippi River, Lock & Dam No. 8 (Genoa), Land & Flowage Rights", Sheets No. 1, No. 2, and No. 3, dated August, 1935, filed in the U. S. Engineer Office, St. Paul, Minnesota, and are listed in the tabulation submitted to the Chief of Engineers, United States Army, on August 16, 1940, hereby made supplements to this public land order.

The above-described lands are under the primary jurisdiction of the War Department, and their reservation for the purposes set forth in this order shall be subject at all times to use by the War Department in connection with the improvement of the Mississippi River for navigation and the uses thereof, and the enforcement of laws and regulations thereon by the Department of the Interior shall be without interference with any existing or future uses or regulations of the War Department.

It is unlawful for any person to pursue, hunt, trap, capture, willfully disturb, or kill any bird or wild animal of any kind whatsoever within the limits of this refuge, or, except as hereinbefore provided, to enter thereon except under

such rules and regulations as may be prescribed by the Secretary of the Interior.

> HAROLD L. ICKES. Secretary of the Interior.

DECEMBER 7, 1943.

[F. R. Doc. 43-19910; Filed, December 14, 1943; 9:32 a. m.]

# TITLE 49-TRANSPORTATION AND RAILROADS

Chapter I-Interstate Commerce Commission

[No. 21997]

PART 131-UNITED STATES SAFETY-APPLI-ANCE STANDARDS (RAILROAD)

RUNNING BOARDS ON BOX AND OTHER HOUSE CARS: FOOTBOARDS ON STEAM LOCOMOTIVES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of December A. D. 1943.

G. W. Laughlin, Assistant Grand Chief Engineer, Brotherhood of Locomotive Engineers, et al. v. Aberdeen & Rockfish Railroad Company et al.

It appearing, that by order of September 28, 1943, all common carriers subject to the safety appliance acts, and all other interested parties, were directed to show cause, if any there be, at a public hearing on October 20, 1943, why the Commission's order of March 13, 1911, with respect to running boards and dimensions and manner of application to box and other house cars, and with respect to footboards on steam locomotives used in switching service, should not be modified to read as shown in Appendix A to the second report on further hearing herein made by said division on the date hereof, which said report on further hearing is hereby referred to and made a part hereof: 1

It is ordered, That said order of March 13, 1911, be, and it is hereby, modified to read as follows, effective January 1, 1944:

. § 131.1 Box and other house cars.

(c) Running boards. \* \* \*

(2) Dimensions. Longitudinal running board shall be not less than 18 and preferably 20 inches in width. Latitudinal extensions shall be not less than 24 inches in width. Wooden running boards or extensions hereafter installed shall be constructed of wood not less than 1% inches in thickness.

(4) Manner of application. Running board shall be continuous from end to end and not cut or hinged at any point: Provided, That the length and width of running board may be made up of a number of pieces securely fastened to saddle-blocks with screws, bolts, or rivets.

The ends of longitudinal running board shall be not less than 6 nor more than 10 inches from a vertical plane parallel with end of car and passing

through the inside face of knuckle when closed with coupler-horn against the buffer-block or endsill; and if more than 4 inches from edge of roof of car, shall be securely supported their full width by substantial metal braces.

Running board shall be securely fastened to car and be made of wood or of material which provides the same as or a greater degree of safety than wood of 11/2 inches thickness. When made of material other than wood the tread surface shall be of anti-skid design and constructed with sufficient open space to permit the elimination of snow and ice from the tread surface.

§ 131.16 Steam locomotives used in switching service. • • • • (a) Footboards. • • •

(2) Dimensions. Minimum width of tread, 10 inches.

Minimum height of back stop, 4 inches above tread.

Height from top of rail to top of tread, not more than 12 nor less than 9 inches.

If made of wood, minimum thickness of tread shall be 11/2, preferably 2 inches.

Footboards may be made of material other than wood which provides the same as or a greater degree of safety than wood of 11/2 inches thickness. When made of material other than wood, the tread surface shall be of anti-skid design and constructed with sufficient open space to permit the elimination of snow and ice from the tread surface.

It is further ordered, That the order heretofore entered in this proceeding on June 8, 1943 (§ 131.1 (c) (4)), insofar as it provides that running boards of material other than wood may not be installed on box or other house cars on or after January 1, 1944, without prior approval by the Commission, be, and it is hereby, vacated.

It is further ordered, That a copy of this order be served upon all common carriers subject to the safety appliance acts and upon all national organizations of railroad employees and that notice be given the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 43-19940; Filed, December 14, 1943; 11:46 a. m.]

# TITLE 50-WILDLIFE

Chapter I-Fish and Wildlife Service

PART 27-SOUTHEASTERN REGION NATIONAL WILDLIFE REFUCES

MATTAMUSKEET NATIONAL WILDLIFE REFUGE, N. C.

Under authority of section 84 of the act of March 4, 1909, 35 Stat. 1083, as amended by the act of April 15, 1924, 43 Stat. 98, and in extension of § 12.9 of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service. dated December 19, 1940 (5 F.R. 5284), the following is hereby ordered:

Section 27.604a Mattamuskeet National Wildlife Refuge, North Carolina; 1 hunting of certain migratory game birds is amended by deleting from paragraph (e) Limitation on hunting methods the words and figures "\* \* Standard words and figures "" \* No. 2 shot" and inserting in lieu thereof the words "Standard BB shot."

OSCAR L. CHAPPIAN. Assistant Secretary of the Interior. **DECEMBER 2, 1943.** 

[F. R. Doc. 43-19911; Filed, December 14, 1943; 9:32 a. m.]

# Notices

#### WAR DEPARTMENT.

[Circ. 318]

LAPEL BUTTON FOR HONORABLE SERVICE RULES OF ELIGIBILITY AND DISTRIBUTION

1. A lapel button to indicate honorable service and for gratuitous issue to the personnel indicated in paragraph 3 is now being distributed to all Army installations by Quartermaster depots.

2. One officer will be designated by the commanding officer of each Army installation as custodian of stock of lapel buttons. This officer will be held strictly accountable therefor and will be responsible that buttons are not issued otherwise than in accordance with this circular.

3. The following personnel are authorized to wear and are entitled to the issue of the land button for honorable service subsequent to 8 September 1939:

a. All military personnel who have served honorably in active Federal service in the Army of the United States since 8 September 1939, and who are, or have been, honorably discharged or trans-ferred to an inactive status.

b. Officers and enrolled members of the Women's Army Auxiliary Corps, whose separation from the service was under honorable conditions.

4. Effective immediately, one lapel button will be issued to the personnel named in paragraph 3¢ at the time of honorable discharge, transfer to inactive reserve status, or honorable separation from the service. The discharging or transferring authority will arrange with a custodian of buttons for such issue.

5. All personnel who are eligible to receive and wear this lapel button under paragraph 3 and who have not previously been issued a button are authorized to make application therefor, either:

a. In person at any Army installation, other than ports of embarkation, or

b. In writing to any Army installation, other than ports of embarkation.

6. Personnel, other than officers, applying for this button, will present a discharge certificate or certificate of service. Officers applying for the button may, in lieu of either of the above certificates. present two true copies of instrument

Filed as part of the original document.

<sup>&</sup>lt;sup>1</sup>Preclamation No. 2416, July 25, 1940; 5

(special orders, letter orders, or other instrument) relieving them from active duty, with a certificate prepared by the applicant that he or she is eligible to receive this button under the provisions of

paragraph 3.

7. Notation of the issue of a lapel button, place and date of issue, and grade and title of issuing officer will be made on the reverse side of the discharge certificate or of the certificate of service indicated in paragraph 6. This notation will be signed by the issuing officer. When issue is made to officers, one copy of the instrument and of the applicant's certificate of eligibility referred to in paragraph 6 will be forwarded to The Adjutant General with proper notation of issue entered thereon.

8. The provisions of paragraphs 6 and 7 have been announced to the general public by the War Department.

9. When there is any indication that a button has been issued previously the application will be forwarded without action direct to The Adjutant General by the officer to whom application is made, or by the applicant, if the latter prefers.

10. Applications by personnel other than those covered by the provisions of paragraph 3 will be referred without action direct to The Adjutant General. (R.S. 161; 5 U.S.C. 22) [Sec. II, W.D. Cir. 318, 7 December 1943]

[SEAL]

J. A. Ulio, Májor General, The Adjutant General.

[F. R. Doc. 43-19901; Filed, December 13, 1943; 4:19 p. m.]

### OFFICE OF ALIEN PROPERTY CUS-TODIAN.

[Vesting Order 2026]

FERROSTAAL, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Ferrostaal, A. G., whose last known address is 28 Huysen Allee, Essen, Germany, is a national of a designated enemy

country (Germany);

2. Finding that Ferrostaal, Inc. is a corporation organized under the laws of and doing business in the State of New York and is a business enterprise within the United States:

3. Finding that 200 shares of \$25 par value common capital stock of Ferrostaal, Inc. are registered in the name of and owned by Ferrostaal, A. G.;

4. Finding that the said 200 shares constitute all of the issued and outstanding capital stock of Ferrostaal, Inc. and represent ownership and control of said business enterprise;

5. Determining, therefore, that Ferrostaal, Inc. is a national of a designated enemy

country (Germany);

6. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the 200 shares of stock described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated en-emy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on August 21, 1943.

[SEAL]

LEO T. CROWLEY. Alien Property Custodian.

[F. R. Doc. 43-19825; Filed, December 13, 1943; 10:45 a. m.]

#### [Vesting Order 2164, Amendment]

L. U. C. E. (INSTITUTO NAZIONALE LUCE)

Re: Motion picture film in the United States owned by L. U. C. E. (Instituto Nazionale Luce), Rome, Italy.

Vesting Order Number 2164, dated September 8, 1943, is hereby amended as follows and not otherwise:

By deleting the word "Istituto" where it appears in said vesting order and substituting therefor the word "Instituto".

All other provisions of said Vesting Crder Number 2164 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed

Executed at Washington, D. C., on December 8, 1943.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43-19828; Filed, December 13, 1943; 10:47 a. m.]

[Vesting Order 2609, Amendment] JOSEPH FUCHS

In re: Estate of Joseph Fuchs, deceased; File D-6-1056; E. T. sec. 8265.

Whereas, a typographical error appears in line three of Finding No. 2 of Vesting Order Number 2609, namely, the word "designed" is used instead of the word "designated",

Now, therefore, Vesting Order Number 2609 is hereby amended as follows and

not otherwise:

The word "designed" in line three of Finding No. 2 is hereby deleted and the word "designated" substituted therefor. Finding No. 2 will now read as follows:

Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

All other provisions of such Vesting Order Number 2609 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratifled and confirmed.

Dated: December 7, 1943.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43-19829; Filed, December 13, 1943; 10:47 a. m.]

# [Vesting Order 2668]

#### KATIE P. MADDEN

In re: Estate of Katie P. Madden, deceased; File D-38-1204; E. T. sec. 4423. Under the authority of the Trading

with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by Fred Nebel, Executor, acting under the judicial supervision of the Hudson County Orphans' Court, Hudson County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by na-

tionals of designated enemy countries, Italy

and Germany, namely,

Nationals and Last Known Address

Karólina Prinoth, a/k/a Carolina Prinoth, Italy.

Elisabeth Prinoth, Germany,

Marianne Vinatzer, formerly known as Mariana Prinoth, Italy.

Amalia Frener, formerly known as Amalia Prinoth, Italy.
Angelica Nogler, formerly known as Angel-

ica Runggaldier, also Rungaldier, Italy.

Christian Prinoth, Germany.

Johann Prinoth, Italy.

Vincenz Runggaldier, also Rungaldier, Italy, Ferdinand, Runggaldier, also Rungaldier, Italy.

Josephina Prinoth, daughter of Mary Prinoth, deceased, Italy.

And determining that:
(3) If such nationals are persons not within any designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Italy, and Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest;

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Karolina Prinoth, a/k/a Carolina Prinoth, Elizabeth Prinoth, Marianne Vinatzer, formerly known as Mariana Prinoth, Amalia Frener, formerly known as Amalia Prinoth, Angelica Nogler, formerly known as Angelica Runggaldier, also · Rungaldier, Christian Prinoth, Johann Prinoth, Vincenz Runggaldier, also Rungaldier, Ferdinand Runggaldier, also Rungaldier, and Josephina Prinoth, daughter of Mary Prinoth, deceased, and each of them in and to the estate of Katie P. Madden, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or acounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property

The terms "national" and "designated enemy-country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F.R. Doc. 43-19830; Filed, December 13, 1943; 10:45 a. m.]

> [Vesting Order 2669] JOHN MEIERDIERKS

In re: Estate of John Meierdierks, deceased; File D-28-2308; E. T. sec. 3165.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by John Schlobohm and John Meierdierks, Co-Executors acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Ger-

many; namely,

Nationals and Last Known Address

Fritz Kohlman, Germany. Henrich Kohlman, Germany. Anna Schlobohm, Germany.

Henry Melerdierks, Germany. Heirs and/or icgatees and/or devicess (names unknown) of Gesine Krentzel, de-

ceased, Germany.

Heirs and/or legatees and/or devisees (names unknown) of Heinerick Bremer, de-

ceased, Germany.

Dietrich Meierdierks, Germany.

Metta Quitsch, Germany. Heinerich Schlobohm, Germany. Metta Schwitters, Germany. Tietje Melerdierks, Germany. Meta Schumm, Germany.
Gemeinde Moorhausen, Germany.
Gemeinde Falkenberg, Germany.
Gemeinde Heitberg, Germany.
Gemeinde Grasberg, Germany. Gemeinde Kleinenmoor, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Allen Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fritz Kohlman, Henrich Kohlman, Anna Schlobohm, Henry Melerdierks, Heirs and/or legatees and/or devisees (names unknown) of Hein-erick Bremer, deceased, Heirs and/or legatees and/or devisees (names unknown) of Gesine Krentzel, deceased, Dietrich Melerdierks, Metta Quitsch, Helnerich Schlobohm, Metta Schwitters, Tietje Melerdierks, Meta Schumm, Gemeinde Moorhausen, Gemeinde Falken-berg, Gemeinde Heltberg, Gemeinde Grasberg, Gemeinde Kleinenmoor, and each of them, in and to the estate of John Melerdierks, de-

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Allen Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

LEO T. CROWLEY. [SEAL] Alien Property Custodian.

[F. R. Doc. 43–19831; Filed, December 13, 1943; 10:46 a. m.]

[Vesting Order 2670] JOHN MEIERDIERKS

In re: Trust under the will of John Meierdierks, deceased; File D-28-2308; E. T. sec. 3165.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the Wells Fargo Bank & Union Trust Co., Testamentary Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany; namely.

Nationals and Last Known Address

Engle Schlobohm, Germany. Agnes Schlobohm, Germany. Maricchen Meierdierks, Germany. Theodor Meierdierks, Germany. Johanna Kohlman, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Engle Schlobohm, Agnes Schlobohm, Mariechen Melerdierks, Theodor Melerdierks and Johanna Kohlman, and each of them, in and to the Trust under the Will of John Meierdierks, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts. pending further determination of the Allen Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–19832; Filed, December 13, 1943; 10:46 a. m.]

# [Vesting Order 2671] JOHN MOLL

In re: Estate of John Moll, alias Johann Baptist Moll, deceased; File D-28-3576; E. T. sec. 5784.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, County Building, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Ger-

many, namely,

Nationals and Last Known Address

Hugo Moll, Germany.
Franz Josef Gutgsell, Germany.
Anton Gutgsell, Germany.
Paulina Gutgsell Bihlmann, Germany.
Anna Franziska Moll Hanselmann, Germany.

Friedrich Heinrich Moll, Germany.
Maria Elisabeth Moll Jenne, Germany.
Franz Josef Moll (Son of Heinrich Moll,
deceased brother of decedent), Germany.

Hedwig Moll Hermann, Germany.
Rosa Paulina Moll Hermann, Germany.
Karl Theodor Moll, Germany.
Arsen Heinrich Moll, Germany.
Maria Elisabeth Weber Schmutz, Germany.
Josef Weber, Germany.

Theodor Weber, Germany. Anna Gottfrieda Weber Grammelspacher,

Germany.

Ida Weber Rombach, Germany.

Sofie Weber, Germany. Franz Arsen Weber, Germany. Bernard Weber, Germany.

Franz Joseph Moll (Son of Franz Ulirich Moll, deceased brother of decedent), Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$9,846.95 which is in the possession and custody of Victor L. Schlaeger, Treasurer of Cook County, Illinois, Depositary, pursuant to orders of the Probate Court of Cook County, Illinois, in the matter of the estate of John Moll, alias Johann Baptist Moll, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO. T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-19833; Filed, December 13, 1943: 10:45 a. m.]

# [Vesting Order 2672] CAROLINE MUNDT

In re: Estate of Caroline Mundt, also known as Catherina Johanna Maria Von Appen Mundt, deceased; File D-28-6663; E. T. sec. 5384.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Henry J. Behrens, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Lemmerman and her issue, Germany. Emil Von Appen and his issue, Germany. Frederick Von Appen and his issue, Germany.

Child or children, names unknown, of Johanna Novag, deceased, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and

certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marle Lemmerman and her issue, Emil Von Appen and his issue, Frederick Von Appen and his issue and child or children, names unknown, of Johanna Novag, deceased, and each of them in and to the Estate of Caroline Mundt, also known as Catherina Johanna Marla Von Appen Mundt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43–19834; Filed, December 13, 1943; 10:45 a. m.]

# [Vesting Order 2673]

# CARLO PALLAVICINI

In re: Estate of Carlo Pallavicini, deceased; file D-38-1142; E. T. sec. 3106.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust, and Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Joaquin;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy,

namely,

National and Last Known Address

Virginia Savio, Italy,

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any > kind or character whatsoever of Virginia Savio, in and to the Estate of Carlo Pallayicini, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of · the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have. the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43-19835; Filed, December 13, 1943; 10:45 a. m.]

> [Vesting Order 2674] THEODORE J. SCALA

In re: Estate of Theodore J. Scala, deceased; File D-38-1679; E. T. sec. 4653.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Sebastiano Ratti, Administrator, acting under the judicial supervision of the Surrogate's Court of New York

County, New York;
(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy namely,

Nationals and Last Known Address

Francis (Francesco) Scala, Italy. Raffaele Scala, Italy. Giovannina Scala, Italy. Teresina Ratti, Italy. Lucia Ratti Volpi, Italy. Giuseppina Ratti, Italy. Michaelina Scala, Italy. Cristina Scala, Italy. Gabriele Scala, Italy.

And determining that—

(3) If such nationals are percons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by cald Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Francis (Francesco) Scala, Raffaele Scala, Giovannina Scala, Teresina Ratti, Lucia Ratti Volpi, Giuseppine Rattl, Cristine Scale, Michaeline Scale and Gabriele Scale, and each of them, in and to the Estate of Theodore J. Scale,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Allen Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43-19836; Filed, December 13, 1943; 10:46 a. m.]

[Vesting Order 2675]

In re: Estate of Minnie W. Vogt. deceased; File D-28-3941; E. T. sec. 6759. Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Catherine Lucy Asher, Executrix, acting under the judicial supervision of the Pas cale County Orphans' Court, County of Passaic, New Jersey;

(2) Such property and interests are pay able or deliverable to, or claimed by, nationals of a designated enemy country, Germany,

namely.

Nationals and Last Known Address

Pauline Vegt, her heirs, executors, administrators and assigns, whose names are unknown, Germany.

Marie Wagner, her heirs, executors, administrators and assigns, whose names are

unknown, Germany.

Else Knorrek, her heirs, executors, administrators and assigns, whose names are unknown, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made alledeterminations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatcoever of Pauline Vogt, her heirs, executors, administrators and assigns, whose names are unknown. Marie Wagner, her helro, executors, administrators and ecolons, whose names are unknown and Elco Knorrek, her heirs, executors, administrators and assigns, whose names are un-lmown, and each of them, in and to the cotate of Minnie W. Vogt, decassed,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Allen Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-19837; Filed, December 13, 1943; 10:46 a. m.]

## [Vesting Order 2676]

#### OTTO WEGNER

In re: Estate of Otto Wegner, deceased; File D-28-4143; E. T. sec. 7130.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Elizabeth Lange, Station F, Route 9, Box 271, Milwaukee, Wisconsin, Administratrix, acting under the judicial supervision of the County Court of the State of Wisconsin, in and for the County of Milwaukee;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely.

Nationals and Last Known Address

August Wegner, Germany. Wilhelm Wegner, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of anykind or character whatsoever of August Wegner and Wilhelm Wegner, and each of them, in and to the estate of Otto Wegner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as-a\_result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form

APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43–19838; Filed, December 13, 1943; 10:46 a. m.]

#### [Vesting Order 2677]

### LEAH A. WITTENBERG

In re: Estate of Leah A. Wittenberg, deceased; File F-28-7967; E. T. sec. 382.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the Montclair Trust Company of 475 Bloomfield Avenue, Montclair, New Jersey and John A. Bennett, 460 Bloomfield Avenue, Montclair, New Jersey, Executors, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Ger-

many, namely,

National and Last Known Address

Anna H. Wittenberg, Germany.

And determining that-

(3) If such national is a person not, within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna H. Wittenberg in and to the estate of Leah A. Wittenberg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943,

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

### OFFICE OF PRICE ADMINISTRATION.

### BITUMINOUS COAL

#### ORDER OF REVOCATION

Order Nos. 3 (2d Revise), 44, 106 (Revised), 107, 147, 149, 153, 164, 166, 169, 188, 208, 210, 216, 217, 220, 229, 291, 318, 320 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reason that the relief previously granted by the following orders is granted by Amendment No. 75 to Maximum Price Regulation No. 120, and in accordance with the paragraph in each of them reciting that each may be revoked by the Price Administrator at any time, It is ordered, That the following orders under Maximum Price Regulation No. 120 be and they are hereby revoked:

Order Nos. 3, (2d Revise), 44, 106, (Revised), 107, 147, 149, 153, 164, 166, 169, 188, 208, 210, 216, 217, 220, 229, 291, 318, 320.

This order of revocation shall become effective as of December 10, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 43–19896; Filed, December 13, 1943; 4:09 p. m.]

# [MPR 188, Order 1003]

Building Materials and Consumers'
Goods

### MANUFACTURERS' MAXIMUM PRICES

Order No. 1003 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumer's goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is hereby

ordered:

(a) Specific authority is hereby granted to: Daniels Brick Company, Richmond, Virginia; Emporia Brick Corporation, Emporia, Virginia; Locher and Company, Glasgow, Virginia; Redford Brick Company, Richmond, Virginia; Roanoke-Webster Brick Company, Inc., Roanoke, Virginia; Salem Brick Company, Ind., Salem, Virginia; Southside Brick Works, Inc., Richmond, Virginia; Eureka Brick Company, Norfolk, Virginia to sell, offer to sell and deliver to any person "A-Grade Common Hard Brick" at the prices set forth below:

F. o. b. plant, A-Grade Commons, \$17.50; ci. load delivered to destination, \$17.50; truck delivered to job, \$18.50.

(b) Any person purchasing A-Grade Common Hard Brick from the specified manufacturers, listed above, for purposes of resale may add to the prices established in paragraph (a) hereof, an amount not in excess of the average dollar mark-up received by such person during March 1942 in making sales of Selected Common Brick and Common Hard Brick, purchased from the manufacturers specified herein, to purchasers of the same class for like quantities under similar conditions of sale.

(c): Any person subject to this order shall make such reports to the Office of Price Administration as it may from time

to time require.

This order is effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of December 1943. CHESTER BOWLES, Administrator.

[F. R. Doc. 43-19897; Filed, December 13, 1943; 4:09 p. m.]

[MPR 225, Order 24]

COMMERCIAL OR JOB PRINTERS IN ALAMEDA COUNTY

ORDER GRANTING ADJUSTMENT

Order No. 24 under Maximum Price Regulation 225. Printing and printed paper commodities.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with § 1347.469 of Maximum Price Regulation 225, It is hereby ordered:

(a) Commercial or job printers (identified further in paragraph (c)) who do a printing business in Alameda County, California may sell and deliver to any

person and any person may buy or receive from them any printed paper commodity or service in connection therewith, the sale of which is subject to Maximum Price Regulation 225, at prices which shall not exceed the following:

(1) Maximum prices governed by § 1347.452 of Maximum Price Regulation 225. The price set forth in § 1347.452 with the addition of a sum equal to the increase in the cost of producing the commodity or rendering the service due to wage increases to seller's employees authorized by the National War Labor Board by an order issued subsequent to March 31, 1942.

(2) Maximum prices governed by § 1347.453 of Maximum Price Regulation 225. The price determined in accordance with § 1347.453, altered by a recomputation of production charges § 1347.453 (b)) to include the increase in the cost of producing the commodity or rendering the service due to wage increases to seller's employees authorized by the National War Labor Board by an order issued subsequent to March 31, 1942.

(b) In the foregoing computation no additional allowance shall be made for that portion of any wage increase which is retroactive to a date prior to the sale of the commodity or service.

(c) Commercial or job printers for the purpose of this order mean persons engaged in commercial or job printing as that term is commonly understood in the trade and whose business consists chiefly in the production of specific printing jobs for individual customers, such jobs including but not limited to the printing to order of the following: Commercial forms; letterheads and envelopes; sales announcements, enclosures, circulars and other advertising matter; legal documents or forms for state and local governments.

(d) Every seller increasing his maximum prices under the provisions of this order shall file with the Regional Office of the Office of Price Administration in the region in which he does business a report of the increased price. This report shall be filed on or before the date of sale. The seller may thereupon use the increased prices: Provided, however, That if the Office of Price Administration shall by letter mailed to him within 30 days from the filing of the report disapprove the computation of the increase, then the prices charged prior to the receipt of such disapproval shall be adjusted in accordance therewith. In the absence of such disapproval the increased prices shall be deemed to have been approved, subject, however, to non-retroactive written disapproval at any later time by the Office of Price Administra-

For prices established under § 1347.452 a statement of computation of the increase shall be set forth in the report. For prices established under § 1347.453, Form 325:1 shall be used, setting forth the new rates for production charges on tables 3-9 inclusive and the computation used in their determination.

(e) All prayers of the petition not

granted herein are denied.

(f) This Order No. 24 may be revoked or amended by the Price Administrator at any time. This order shall become effective December 14, 1943.

Note: All reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of December 1943. CHESTER BOWLES. Administrator.

[F.R. Doc. 43-19898; Filed, December 13, 1943; 4:09 p. m.]

> [RPS 41, Rev. Order 19, Amdt. 2] FREIGHT CAR CASTINGS

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 2 to Revised Order No. 19 under Revised Price Schedule No. 41. Steel castings and railroad specialties.

An opinion accompanying this revised order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) of Revised Order No. 19, is amended to read as follows:

(a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 41 producers of miscella-neous freight car castings may, on and after July 31, 1943, deliver, or agree to deliver miscellaneous freight car castings at prices to be adjusted in accordance with action, if any, which is taken by the Office of Price Administration after delivery and effective prior to January 15, 1944. Producers of said castings, however, may not receive and buyers may not pay to producer an amount for such castings which exceeds the maximum price or prices in effect at the time of delivery unless and until action, if any, is taken by the Office of Price Administration effective prior to January 15, 1944 granting a higher price.

This Amendment No. 2 becomes effective December 15, 1943.

(Pub. Laws 1421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of December 1943.

CHESTER BOWLES. Administrator.

[F.R. Doc. 43-19341; Filed, December 14, 1943; 11:48 a. m.]

No. 248---5

Regional and District Office Orders.
[Region I Order G-3 Under RMPR 122,
Amdt. 2]

BAGGED ANTHRACITE COAL IN METROPOLITAN BOSTON AREA

Amendment No. 2 to Order No. G-3 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. 3 under § 1340.257 (b) (3) of Maximum Price Regulation No. 122 is hereby redesignated Region I Order No. G-3 under Revised Maximum Price Regulation No. 122 and is hereby amended in the following respects:

- 1. The introductory paragraph and subparagraphs (a) and (b) of paragraph (1) are amended to read as follows:
- (1) The maximum prices established by §§ 1340.252, 1340.254, 1340.256, and 1340.265 of Revised Maximum Price Regulation No. 122 for all Pennsylvania anthracite coal in 25 pound paper bags sold and delivered in the Metropolitan Boston Area are modified, so that the maximum prices therefor shall be the prices (in cents per bag) set forth below. The prices for sales at bagger's yard shall apply to all such sales at yards located in the Metropolitan Boston area, regardless of the ultimate destination of the fuel. The prices for deliveries to retail stores and to consumers from trucks shall apply whenever the fuel is delivered within the Metropolitan Boston area, regardless of the location of the seller's place of business, and the prices for sales at retail stores shall apply to sales by all stores located in the Metropolitan Boston area.

#### (a) UNMIXED COAL

	Chest- nut	Stove	Pea
Sales to dealers, peddlers and stores, f. o. b. buyer's trucks,		•	
at bagger's yard	19. 5	19. 5	17. 5
bagger's yard	21. 5 22	21. 5 22	19.5 20
from bagger's or peddler's truck	24. 5	24. 5	22, 5
Bales at retail stores: Ohain storeIndependent outlet	25. 5 26. 5	25. 5 26. 5	23. 5 24. 5

# (b) MIXTURES (50% OF EACH BY WEIGHT)

•		Chest- nut and pea	Stove and pea
Sales to dealers, peddlers and stores, f. o. b. buyer's trucks, at bagger's yard	19. 5	18. 5	18.5
at bagger's yardDelivered to retail stores	21. 5 22	20. 5 21	20. 5 21
truck	24. 5	23. 5	23.5
Chain store	25. 5 26. 5	24, 5 25, 5	24. 5 25. 5

- 2. Paragraph (1A) is inserted immediately following paragraph (1), to read as follows:
- (1A) Sales at emergency fuel stations. The maximum prices for sales to ultimate consumers at emergency fuel stations established by dealers at locations other than their yards, pursuant to requests made by State or local governmental authorities, shall be the maximum prices established in paragraph (1) hereof for sales to ultimate consumers from bagger's or peddler's truck.
- 3. Subparagraph (h) is added to paragraph (4), to read as follows:
- (h) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.
- 4. Paragraph (9) is added to read as follows:
- (9) Terms of sale. Terms of sale may be net cash, but no additional charge may be made for the extension of credit terms of net 30 days or net 10 days E. O. M.
- 5. Paragraph (10) is added to read as follows:
- (10) Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-3, except that the prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122. Specifically, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-3 provides uniform terms of sale, and so forth.
- 6. Paragraph (11) is added to read as follows:
- (11) Records. Every person making a sale for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the price charged and the coal sold. The coal shall be identified in the manner in which it is described in this Order.
- 7. The provisions of subparagraphs (a) and (b) of paragraph (5) of Order G-3 shall apply to the furnishing to purchasers of copies of this Amendment No. 2.

Note: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 2 to Order No. G-3 shall become effective November 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of November 1943. K. B. Backman,
Regional Administrator.

[F. R. Doc. 43-19864; Filed, December 13, 1943; 11:40 a. m.]

[Region I Order G-4 Under RMPR 122, Amdt. 2]

BAGGED ANTHRACITE COAL IN RHODE ISLAND

Amendment No. 2 to Order No. G-4 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order G-4 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

- 1. Paragraph (1) is amended to read as follows:
- (1) 18 pound bags; sold or delivered in the entire State of Rhode Island except Newport County.

(a) UNMIXED COAL

	Ohest- nut	Stove	Pea
Sales to dealers, peddlers, and stores, f.o.b. buyers' trucks, at bagger's yard. Sales to ultimate sonsumers at bagger's yard. Delivered to retail stores. Sales to ultimate consumera from bagger's or peddler's trucks. Sales at retail stores: Chain store. Independent outlet	141/4 161/4 161/2 18 19 191/4	14½ 16½ 16½ 18 19	13 15 15 10 10 17 17 18

#### (b) MIXTURES (50% OF EACH BY WEIGHT)

	Ohest- nut and stove	Ohest- nut and pea	Pea and stove
Sales to dealers, peddlers, and stores, f.o.b. buyers' trucks, at bagger's yard	14)4 16)4 16)2		14 , 10 10
frucks_ Sales at retail stores: Chain store_ Independent outlet	18 19 19½	1714 1814 19	1714 1814 19

- 2. Paragraph (2) is amended to read as follows:
- (2) 18 pound bags; sold and delivered in Newport County, Rhode Island.

(a) UNMIXED COAL

	Ohest- nut	Stove	Pea
Sales to dealers, peddlers, and stores, f. o. b. buyers' trucks, at bagger's yard Sales to ultimate consumers at bagger's yard Sales to ultimate consumers from bagger's or peddler's truck	161/2 171/2 171/2 19 20 201/2	163/2 173/2 173/2 10 20 203/2	14 16 16 17!2 18!2

#### (b) MIXTURES (50% OF EACH BY WEIGHT)

	Chest- nut and stove	Chest- nut and pea	Stove and pea
Sales to dealers, peddlers, and stores, f. o. b. buyers' trucks, at-bagger's yard. Sales to ultimate consumers at bagger's yard Delivered to retail stores. Sales to ultimate consumers from bagger's or peddler's truck. Sales at retail stores: Chain store. Independent outlet.	15½ 17½ 17½ 19 20 20½	15 17 17 181/2 191/2 20	18 17 17 18 18 19 20

- 3. Paragraph (3) is amended to read as follows:
- (3) 50 pound bags—sold or delivered in the entire State of Rhode Island except Newport County.

#### (a) UNMEXED COAL .

1	Chest- nut	Stove	Pea
Sales to dealers, peddlers, and stores, f. o. b. buyers' trucks, at bagger's yard. Sales to ultimate consumers at bagger's yard. Delivered to retail stores. Sales to ultimate consumers from bagger's or reddler's truck. Sales at retail stores: Chain store. Independent outlet.	40	40	. 26
	45	45	3 41
	45	45	41
	49	49	45
	52	52	47
	54	54	49

#### (b) Mixtures (50% of Each by Weight)

Chest- nut and stove	Ohest- nut and pea	Stove and pea
40	38	33
45	43	43 43
45	43	43
49	47	47
52 54	50 52	50 52
	nut and stove	nut and stove pea

- 4. Paragraph (4) is amended to read as follows:
- (4) 50 pound bags; sold and delivered in Newport County, Rhode Island.

# (a) UNMIXED COAL

	Chest- nut	Stove	Pea
Sales to dealers, peddlers and stores, f. o. b. buyers' trucks, at bagger's yard. Sales to ultimate consumers at bagger's yard. Delivered to retail stores. Sales to ultimate consumers from bagger's or peddler's truck. Sales at retail stores: Chain store. Independent outlet	42 47 47 51 54 56	42 47 47 51 51 54 56	33 43 43 47 49 51

#### (b) MIXTURES (1975 OF EACH BY WEIGHT)

Chest- nut and ctoro	Chest- nut and rea	Etoro and rea
40	43	43
	_	45 45
		43
		22 64
	nut	100 nut

- 5. Paragraph (4A) is amended to read as follows:
- (4A) 20 pound bags of pea size; sold or delivered in the entire State of Rhode Island.

Sales to dealers, peddlers and stores,	
f. o. b. buyers' trucks at baggers' yard14	
Sales to ultimate consumers at bag-	
ger-' yard 16 Delivered to retail stores 16	
Sales to ultimate consumers from bag-	
ger's or peddler's trucks 171	2
Sales at retail stores: Chain store 18	15
Independent outlet19	•
C Mha fallawina automanamanh (h)	ŧ.

- 6. The following subparagraph (h) is added to paragraph (10):
- (h) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.
- 7. The following paragraph (14) is added:
- (14) Terms of sale. Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.
- 8. The following paragraph (15) is added:
- (15) Applicability of Revised Maximum Price Regulation No. 122. Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-4, except that the prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122. Specifically, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-4 provides uniform terms of sale, and so forth.
- 9. The following paragraph (16) is added:
- (16) Records. Every person making a sale for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the

price charged and the coal sold. The coal shall be identified in the manner in which it is described in this order.

10. The provisions of subparagraph (a) and (b) of paragraph (11) of Order G-4 shall apply to the furnishing to purchasers of copies of this Amendment No. 2.

Note: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 2 to Order No. G-4 shall become effective November 29, 1943

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 25th day of November 1943.

GORDON K. CREIGHTON,
Acting Regional Administrator.

[F. R. Doc. 43-19365; Filed, December 13, 1943; 11:40 a.m.]

[Region I Order G-6 under MPR 122, Amdt. 2]
BITULINOUS COAL IN HARTFORD, CONN.,
AREA

Amendment No. 2 to Order No. G-6 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-6 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The Table of Prices in paragraph (a) is amended to read as follows:

CUSTOMER CLASSIFICATIONS (DT NET TONS)

Kind of coal	Lecs than 10	10 to 69	100 to 209	200 or over
Screened lump Run-of-mire Nut and clack Stoker yea.	\$11.70	\$10.70 10.63 9.85 9.85	\$10.20 9.53 9.35 9.35	\$9.95 9.23 9.10 9.10

2. The last sentence of paragraph (g) is amended to read as follows:

The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

- 3. The following new paragraph (j) is added:
- (j) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in

which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

Note: The reporting and record keeping provisions of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 2 to Order No. G-6 shall become effective November 30, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of November, 1943.

K. B. BACKMAN,

Regional Administrator.

[F. R. Doc. 43-19866; Filed, December 13, 1943; 11:41 a. m.]

[Region I Order G-7 Under RMPR 122, Amdt. 6]

# BITUMINOUS COAL IN METROPOLITAN BOSTON AREA

Amendment No. 6 to Order No. G-7 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bituminous coal-Metropolitan Boston Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-7 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Subparagraph (1) of paragraph (b) is amended to read as follows:

(1) TABLE OF PRICES, PER NET TON

	Classes of purchasers				
Kind of coal	Classes	Olass B	<del></del>		
Domestic run of mine	\$7.90 7.65 7.80 7.40 7.35 7.50 7.85 7.50 7.85 7.50 7.85 7.50 7.20	\$8. 12 7. 87 8. 02 7. 62 7. 67 7. 87 7. 72 8. 02 7. 62 7. 72 8. 42 8. 19 7. 72 7. 42	\$8.34 8.09 8.24 7.79 8.09 7.94 8.24 7.84 8.24 7.94 8.64 7.64		

Provided, however, That at yards located in the cities and towns of Arlington, Belmont, Braintree, Canton, Dedham, Dover, Hingham, Holbrook, Hull, Lexington, Malden, Medford, Melrose, Milton, Needham, Newton, Norwood, Quincy, Randolph, Reading, Revere, Stoneham, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop and Woburn, the maximum price per net ton for sales of lots of two tons or less of domestic run of mine, straight run of mine or mixed run of mine to domestic consumers shall be the foregoing Class C price for the particular kind of coal plus one dollar (\$1.00) per ton.

2. Subparagraph (1) of paragraph (c) is amended to read as follows:
(1). Table of Prices, per Net Ton

Kind of coal	Classes of purchasers				
Amu of cost	Class I	Olass II	Class III	Class IV	Olass V
Domestic mine run Straight mine run Mixed mine run Nut and slack Slack 11½" nut and slack Mixed nut and slack Low volatile pea. High volatile modified stoker. High volatile mot or pea. Cavalier nut and slack Cavalier double screened stoker. Cavalier modified stoker. High volatile nut or pea. Cavalier double screened stoker. High volatile unt or pea. Chavalier modified stoker. High volatile egg or lump High volatile egg or lump High volatile nut and slack.	10. 20 9. 80 10. 20 10. 25 9. 80 10. 25 9. 80 10. 25 10. 37	\$10.05 9.80 9.95 9.45 9.50 9.80 9.65 9.95 10.00 9.65 10.12 9.65 9.35	\$9.55 9.55 9.55 9.55 9.55 9.55 9.74 9.10 9.10 9.10	0580750000000000000 9.66886868686868688	\$9.08 8.89 8.50 8.50 8.60 8.60 8.60 9.00 9.10 9.10 8.80

Provided, however, That the maximum price per net ton for deliveries of lots of two tons or less of Domestic Mine Run, Straight Mine Run or Mixed Mine Run to domestic consumers in the cities and towns of Arlington, Belmont, Braintree, Canton, Dedham, Dover, Hingham, Holbrook, Hull, Lexington, Malden, Medford, Melrose, Milton, Needham, Newton, Norwood, Quincy, Randolph, Reading, Revere, Stoneham, Wakefield, Waltham, Watertown, Wellesley, Weston, Westowood, Weymouth, Winchester, Winthrop and Woburn shall be the foregoing Class I price for the particular kind of coal plus one dollar (\$1.00) per ton.

The foregoing prices apply to deliveries made directly from truck or wagon into the consumer's storage facilities, and are inclusive of any trimming that may be necessary. If the coal cannot be so discharged and is carried or wheeled from the truck or wagon to consumer's storage facilities, an additional 50¢ per ton may be charged if such charge is separately stated on the invoice or similar document rendered to the purchaser.

3. A new subparagraph (2) is added to paragraph (g), to read as follows:

(2) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

Note: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 6 to Order No. G-7 shall become effective November 30, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 30th day of November 1943.

K. B. Backman,

Regional Administrator.

[F. R. Doc. 43-19867; Filed, December 13, 1943; 11:41 a. m.]

[Region I Order G-8 Under RMPR 122,

Amdt. 2]
STRAIGHT RUN OF MINE BITUMINOUS COAL
IN WORCESTER, MASS., AREA

Amendment No. 2 to Order No. G-8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Straight run of mine bituminous coal—Worcester, Massachusetts, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the S\$ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-8 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The table of prices in paragraph (a) is amended to read as follows:

Customer Classifications (Net Ton) and Price

per 1100 1016	
1-2	911, 08
3-60	10.25
61-500	0.68
Over 500	- 0 40
	7 0,30

2. The following new paragraph (i) is added:

(f) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

Note: The reporting and record keeping provisions of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 2 to Order No. G-8 shall become effective November 30, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 30th day of November 1943. K. B. BACKMAN, Regional Administrator.

[F. R. Doc. 43–19868; Filed, December 18, 1943; 11:42 a. m.]

[Region I Order G-9 Under RMPR 122, Amdt. 2]

Solid Fuels in Metropolitan Boston Area

Amendment No. 2 to Order No. G-9 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Metropolitan Boston Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-9 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

- 1. Subparagraph (b) (1) (a) is amended to read as follows:
- (a) Price Schedule I; sales on a "direct delivery" basis.

Kind and size	Per net ton	34 ton	3% ton	100 lbs.
Pennsylvania anthracite (ex-				
cept Jeddo Highland,	ł	ł		l
and Red Ash broken,		1	1	l
egg, stove and chestnut):	1		1	
Broken, egg, stove, chest-	\$16, 25	88, 65	S4. 70	\$0.95
Pea	14.30	7.65	4.20	.85
Buckwheat	12.55	6.80	3.75	
Rice	11.35			
Barley	10.35	5.70	3.20	
Jeddo Highland: Broken, egg, stove, chest-	l		1	
nut	16.75	8.90	4.80	1.00
Péa	14.80	7.90	4.35	.90
Buckwheat	12.80	6.90	3.85	
Rice	11.60 10.35	6.30 5.70	3.55 3.20	
BarleyRed Ash:	10.35	2.10	3. 20	
Broken	17.00	9.00	4.90	1.05
Egg	17.25	9.15	4.95	1.05
Stove	17.50	9.25	5.00	1.05
. Chestnut	17.00	9.00 7.90	4.90 4.35	1.05
Ambricoal Yard screenings of all Penn-	14.80	4.90	9.30	.90
sylvania anthracite	6.50			
-3	l ,			

- 2. Subparagraph (b) (2) (a) is amended to read as follows:
- (a) Price Schedule II; "yard sales" to consumers.

Rind and size					
(except Jeddo High-   land, and Red Ash   broken, egg, stove and   chestnut):   Broken, egg, stove, chest-   nut.   12.30   6.85   3.45   .75     Buckyheat   10.55   6.05   3.05   .65     Rice   9.35   5.00   2.59   .63     Barley   8.35   5.00   2.59   .63     Broken, egg, stove, chest-   nut.   14.75   8.10   4.05   .65     Pea   12.89   7.10   3.55   .75     Buckyheat   10.80   6.05   3.05   .65     Rice   9.60   6.50   2.75   .60     Barley   8.35   5.00   2.50   .65   .65   .65     Rice   9.60   6.50   2.75   .60     Barley   8.35   5.00   2.50   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65   .65	Kind and size	net			
	(except Jeddo High- land, and Red Ash broken, egg, stove and chestnut): Broken, egg, stove, chest- nut. Pes. Buckwheat. Rice. Barley. Jeddo Highland: Broken, egg, stove, chest- nut. Pes. Buckwheat. Rice Broken, egg, stove, chest- nut. Pes. Buckwheat Rice Barley Red Ash: Broken Egg Stove. Chestnut. Ambricoal	12.30 10.55 9.35 8.35 14.75 12.89 10.80 9.60 8.35 15.00 15.25 15.00 12.80	6.85 6.05 5.50 5.00 8.10 6.55 5.00 8.35 8.35 8.35	45578 855578 6888 45578 4444	8888

- 3. Subparagraph (b) (3) (a) is amended to read as follows:
- (a) Price Schedule III; "yard sales" to dealers.

Kind and size	Per net ten	35 ton	⅓ ton	100 lbs.
Pennsylvania anthracite (except Jeddo Highland, and Red Arh Breken, cpr, storeandehestnut: Broken, cgg, store and chestnut. Pea. Buckwheat. Rice Borley Jeddo Highland: Broken, egg, store, chest- nut. Pea. Buckwheat Rice Barley Red Ash: Broken Brok	913.75 11.80 10.85 14.20 12.20 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75 14.75	5.444	ස්ත්රාල් පත්වර්ග පත්ත්රත් අත්වර්ග පත්වර්ග සම්බන්ත	: ::::::::::::::::::::::::::::::::::::

- 4. The following new subparagraph (3) is added to paragraph (c):
  - (c) Maximum prices for coke. •
- (3) The maximum prices established by subparagraphs (1) and (2) of this paragraph (c) shall apply only to coke produced by the New England Coke Co. or its affiliated producing company at their plant located in Everett, Massachusetts, and to coke produced by the Malden and Melrose Gas Light Co. and the Lynn Gas and Electric Co. All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.
- 5. The following new paragraph (k) is added:
- (k) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

Note: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 2 to Order No. G-9 shall become effective November 29, 1943

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of October 1943. K. B. BACKMAN,

Regional Administrator. -

[F. R. Doc. 43-19870; Filed, December 13, 1943;

[Region I Order G-9 Under RMPR 122, Amdt. 3]

Solid Fuels in Metropolitan Boston Area

Amendment No. 3 to Order No. G-9 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Metropolitan Boston Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.– 259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-9 under Revised Maximum Price Regulation-No. 122 is hereby amended in the following respects:

- 1. Paragraph (c) is amended to read as follows:
- (c) Maximum prices for coke—(1) Price Schedule IV; maximum prices for sales of coke, in bulk, delivered into consumers' bins at any point in the Metropolitan Boston Area.

	Per	ton	Per 32 ton		Per 1/4 ton	
<b>E</b> LO	α, ο, ນ.	Chargo	a, o, D.	Ohnrge.	a, o, p.	Charge
Nut, egg, stove, and furnace. Pea. Breeze.	\$14.23 12.63 6.66	\$14.73 12.55 6.50	87.00 6.80	\$3.15 7.65	84.20 2.63	\$4.23 3:80

Terms of sale for charge sales shall be net 30 days.

(2) Price Schedule V; maximum prices for "yard sales" of coke, in bulk, at the yard of any dealer in the Metropolitan Boston Area—(a) Maximum prices for "yard sales" to dealers in fuel who resell it.

Lezs \$1.00 per ton if payment is made by the buyer within 10 days after receipt of the fuel; net 30 days.

(b) The maximum price for "yard sales" of nut, egg, stove and furnace sizes to consumers shall be \$13.75. Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days.

(3) Price Schedule VI; bagged coke and coke in one bushel baskets—(a). Prices (in cents per bag) for coke in one-half bushel paper bags.

	Chest- nut coke	Pea coke
Eales to dealers and ctores at bagger's yard. Seles to ultimate concumers at bagger's yard. Delivered to retail stores. Eales to ultimate consumers from dealer's retail. Eales at retail stores: Chain ctores. Independent outlet.	Cents  13  20 20½  23  21 25	Cents 1G 18 151/2 21 22 23

(b) (i) Prices for one bushel baskets of bulk coke, delivered to consumer's bin or storage facilities, and including any carry that may be necessary except carries up or down\_flights of stairs:

Chestnut Coke, per bushel, 40 cents; Pea Coke, per bushel, 36 cents.

(ii) The maximum charge for any carry up or down flights of stairs shall be 5 cents per bushel per flight.

(c) Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30

days or net 10 days E. O. H.

(4) The maximum prices established by the preceding subparagraphs of this paragraph (c) shall apply only to coke produced by the New England Coke Co. or its affiliated producing company at their plant located in Everett, Massachusetts, and to coke produced by the Malden and Melrose Gas Light Co. and the Lynn Gas and Electric Co. All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

- 2. Paragraph (1) is added, to read as follows:
- (1) Maximum prices for ambricoal in 25 pound paper bags—(1) Price Schedule VII; prices (in cents per bag) for ambricoal in 25 pound paper bags.

	Cents
Sales to dealers and stores at bagger's yard	181/3
Sales to ultimate consumers at bagger's	/4
yard	2016
Delivered to retail stores	20½ 21
Sales to ultimate consumers from deal-	
er's truck	231/2
Sales at retail stores:	
Chain stores	241/2
- Independent outlet	251/2
<del>.</del>	

- (2) Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.
- 3. Subparagraphs (13), (14), (15) and (16) are added to paragraph (f), to read as follows:
- (f) Definitions. When used in this Order G-9, the terms:

(13) "Bagger" means a dealer who bags coke in one-half bushel paper bags, or who bags ambricoal in paper bags containing 25 pounds each, or who purchases such solid fuels, so bagged, from a producer or distributor thereof or from another dealer who has so bagged them.

(14) "Chain store" means a retail outlet which is a unit of four or more retail

outlets under one ownership.

(15) "Independent outlet" means a retail outlet which is not a unit of four or more retail outlets under one ownership.

- (16) "Truck" shall include a wagon or other vehicle used for the carriage and distribution of the solid fuels which are the subject of this order.
- 4. Subparagraph (4) is added to paragraph (h), to read as follows:
- (4) Each dealer shall furnish a copy of Amendment No. 3 to this Order G-9 to each buyer, except ultimate consumers, at the time of the first sale to such buyer of bagged coke or ambricoal under paragraphs (c) (3) or (1), and

shall similarly furnish to such buyers copies of any future amendments which in any way change or affect the prices of bagged coke or ambricoal.

5. Paragraph (m) is added, to read as follows:

(m) Fractions of a cent. Whenever a price established by paragraphs (c) (3) or (1) ends in one-half cent, the fraction shall be treated as follows:

(1) In the case of sales to dealers and stores, f. o. b. buyer's trucks at bagger's yard, and sales delivered to retail stores, the total amount charged shall be adjusted to the next lower cent if an odd number of units is sold.

(2) In all other sales, including the sale of a single unit, the total amount charged may be adjusted to the next higher cent if an odd number of units is sold: *Provided, however*, That the seller shall allow the purchaser to buy an even number of units to the extent that the available supply is adequate.

This Amendment No. 3 to Order No. G-9 shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of December 1943. K. B. Backman,

Regional Administrator.

[F. R. Doc. 43–19869; Filed, December 13, 1943; 11:42 a. m.]

[Region I Order G-11 Under RMPR 122, Amdt.1]

SOLID FUELS IN LAWRENCE, MASS. AREA

'Amendment No. 1 to Order No. G-11 under revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels—Lawrence, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.–260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-11 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b), those portions of Price Schedule I which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per net ton	ton	ton	100 1bs.
Pennsylvania anthracito (except Red Ash broken, egg, stove and chestnut): Broken, egg, stove, and chestnut. Pea. Buckwheat Rice Red Ash: Broken Egg. Stove. Chestnut.	\$17, 50 16, 20 13, 65 12, 45 18, 25 18, 50 18, 76 17, 80	\$8.75 8.10 6.85 6.25 9.15 9.25 9.40 8.90	\$4.65 4.30 3.65 3.40 4.85 4.90 4.95 4.70	\$0.95 .90 .75 .70 1.00 1.00 1.00

2. In subparagraph (1) of paragraph (c), those portions of Price Schedule II

which set forth maximum prices for Pennsylvania anthracite are amended to read as follows;

Kind and size	Pér net ton	16 ton	ton	100 100
Pennsylvania anthracite (except red esh broken, egg, stoveand chestnut): Broken, egg, stove and chestnut. Pea. Buckwheat. Rice. Yard screenings. Red Ash: Broken. Egg. Stove. Chestnut.	\$15. to 14. 20 11. 65 10. 45 8. 75 16. 25 16. to 10. 75 16. 80	\$7. 75 7. 10 5. 85 5. 25 8. 15 8. 25 8. 40 7. 80	\$1,15 3,80 8,15 2,50 4,35 4,40 4,45 4,20	\$0, 85 .80 .60 .60 .90

3. In subparagraph (1) of paragraph (d), those portions of Price Schedule III which set forth maximum prices for Pennsylvania anthracite are amended to read as follows:

- 4. The following subparagraph (11) is added to paragraph (g):
- (g) Definitions. When used in this Order G-11, the term:

(11) "Coke" shall include only coke produced by the following producers:

New England Coke Co., or its affiliated producing company, at their plant located in Everett, Massachusetts,

Lowell Gas Light Co. Lynn Gas and Electric Co. Salem Gas Light Co.

All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

- 5. The following new paragraph (1) is added:
- (1) Records, Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

NOTE: The reporting and record keeping provisions of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1042

This Amendment No. 1 to Order No. G-11 shall become effective November 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of November 1943. K. B. Backman, Regional Administrator.

[F. R. Doc. 43–19858; Filed, December 13, 1943; 11:43 a. m.] [Region I Order G-11 Under RMPR 122, Amdt. 2]

Solid Fuels in Lawrence, Mass., Area

Amendment No. 2 to Order No. G-11. under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lawrence, Massachusetts, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-11 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

- 1. Paragraph (m) is added, to read as follows:
- (m) Price Schedule IV; 25 pound bags of Pennsylvania anthracite. (1) Price Schedule IV sets forth maximum prices (in cents per bag) for sales of Pennsylvania Anthracite in 25 pound paper bags at all levels of distribution in the Lawrence, Massachusetts, Area.

#### (a) UNMIXED COAL

	Chest- nut	Stove	Pea
Eales to dealers and stores, f. o. b. buyer's trucks, at bagger's yard. Sales to ultimate consumers at bagger's yard. Delivered to retail stores. Eales to ultimate consumers from dealer's truck. Sales at retail stores: Chain stores. Independent outlet.	20 22 22.5 25 25 26 27	20 22 22.5 25 25 26 27	18 20 20, 5 23 24 25

# (b) MIXTURES (50% OF EACH BY WEIGHT)

	Chest- nut and stove	Chest- nut and pea	Stove and pea
Sales to dealers and stores, f. o. b. buyer's trucks, at bagger's yard. Sales to ultimate consumers at bagger's yard Delivered to retail stores. Sales to ultimate consumers from dealer's truck. Sales at retail stores: Chain stores. Independent outlet.	20 22 22.5 25 25	19 21 21.5 24 25 23	19 21 21, 5 24 25 26

- (2) Terms of sale. Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days, or net 10 days E. O. M.
- 2. Paragraph (n) is added, to read as follows:
- (n) Price Schedule V; one-half bushel bags of coke. (1) Price Schedule V sets forth maximum prices (in cents per bag) for sales of coke in paper bags containing one-half bushel each.

-	Chest- nut case	Pça cazo
Sales to dealers and stores at begger's yard	Cents 18}2	Cents 1934
Sales to ultimate consumers at begger's yard Delivered to retail stores. Sales to ultimate consumers from dealer's	20}6 21	1514 19
truck Eales at retail stores Chain stores	2316 2416	2114 2214 2214
Independent outlet	23)5	23/5

- (2) Terms of sale. Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days, or net 10 days e. o. m.
- 3. Paragraph (o) is added, to read as follows:
- (o) Fractions of a cent. Whenever a price established by paragraph (m) or paragraph (n) ends in one-half cent, the fraction shall be treated as follows:
- (1) In the case of sales to dealers and stores, f. o. b. buyer's trucks, at bagger's yard, and sales delivered to retail stores, the total amount charged shall be adjusted to the next lower cent if an odd number of units is sold.
- (2) In all other sales, including the sale of a single unit, the total amount charged may be adjusted to the next higher cent if an odd number of units is sold: Provided, however, That the seller shall allow the purchaser to buy an even number of units to the extent that the available supply is adequate.
- 4. Subparagraphs (12), (13), (14), and (15) are added to paragraph (g), to read as follows:
- (g) Definitions. When used in this Order No. G-11, the term:
- (12) "Bagger" means a dealer who bags coke in one-half bushel paper bags, or who bags Pennsylvania Anthracite in paper bags containing 25 pounds each, or who purchases such solid fuels, so bagged, from a producer or distributor thereof or from another dealer who has so bagged them.
- (13) "Chain store" means a retail outlet which is a unit of four or more retail outlets under one ownership."
- (14) "Independent outlet" means a retail outlet which is not a unit of four or more retail outlets under one ownership.
- (15) "Truck" shall include a wagon or other vehicle used for the carriage and distribution of the solid fuels which are the subject of this order.
- 5. Subparagraph (4) is added to paragraph (i), to read as follows:
- (4) Each dealer shall furnish a copy of Amendment No. 2 to this Order No. G-11 to each buyer, except ultimate consumers, at the time of the first sale to such buyer of bagged anthracite or coke under paragraph (m) or (n) of this order, and shall similarly furnish to such buyers copies of any future amendments which in any way change or affect the prices established by those paragraphs.

This Amendment No. 2 to Order No. G-11 shall become effective December 13, 1943

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of December 1943. K. B. BACKMAN,

K. B. BACKMAN, Regional Administrator.

[F. R. Doc. 43-19359; Filed, December 13, 1943; 11:42 a. m.]

[Region I Order G-12 Under RMPR 122, Amdt. 1]

SOLID FUELS IN HAVERHILL, MASS., AREA

Amendment No. 1 to Order No. G-12 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels—Haverhill, Massachusetts, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-12 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b), those portions of Price Schedule I which set forth maximum prices for Pennsylvania anthracite are amended to read as follows:

Kind and siza	Per net ton	1/2 ton	ton.	100 Ibs.1
Pennsylvania Anthrecite, creept egg, ctove, and eheemut eizes of Red Achard Jeddo-Hightarti Broken, egg, ctove, and eheemut Pea Buckwheet Rice Red Agh: Egg Stove Chestant Jeddo Highlard: Egg, stove, and eheemut	14.70 12.55 11.95 18.00 18.25	7.83	\$3.05 4.70 4.15 4.00 5.55 5.25 5.25	\$1.63 .93 .80 .80 1.11 1.10

<sup>1</sup>The maximum prices per 100 pounds include carrying or wheeling to consumer's bin or storage space.

2. In subparagraph (1) of paragraph (c), those portions of Price Schedule II which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per net ton	ton	1/4 ton	100 Ics. 1
Pennsylvania Anthracite (ex- cept erg, ctove, and chestruteiresed Red Ach and Jeddo Highland); Breken, egg, ctove, and chestrute. Pen. Burkwheet Hite Yard screenings. Red Ach: Egg. Stove Nut. Jeddo Highland: Egg, stove, and chestrut	\$14.70 12.95 10.80 10.20 3.25 16.25 16.25	\$7.75 7.69 5.69 5.69 8.65 8.65 8.69 8.69	\$4.15 3.20 3.03 4.05 4.40 4.25	\$0.83 .75 .63 .63 .95 .90

<sup>1</sup>The maximum amount which may be required by the dealtrees deposit on, or as predittrmined liquidated damages for failure to return burlap bags furnished by the dealtr chall be 25 cents per bag.

- 3. Paragraph (d) is amended to read as follows:
- (d) Price Schedule III; bagged anthracite. (1) Price Schedule III sets forth maximum prices for sales of Pennsylvania Anthracite in 25-pound paper bags sold and delivered in the Haverhill, Massachusetts Area. Prices are expressed in cents per bag.

# (a) UNMIXED COAL

	Chest- nut	Stove	Pea
Sales to dealers, peddlers and stores, f. o. b. buyer's trucks at bagger's yard. Sales to ultimate consumers at bagger's yard. Delivered to retail storee. Sales to ultimate consumers from bagger's or peddler's truck. Sales at retail stores: Chain stores. Independent outlets	20 22 221/2 25 25 26 27	20 22 221/2 25 26 27	18 20 201/2 23 23 24 25

# (b) MIXTURES (50% OF EACH BY WEIGHT)

	Stove and Chest- nut	Chest- nut and pca	Stove and Pea
Sales to dealers, peddlers and stores, f. o. b. buyers' trucks at bagger's yard. Sales to ultimate consumers at bagger's yard. Delivered to retail stores. Sales to ultimate consumers from bagger's or peddler's truck. Sales at retail stores: Chain stores. Independent outlets.	20 22 22½ 25 25 26 27	19 21 21½ 24 25 26	21 21 21 24 24 25 26

- (2) (a) In the case of sales to dealers, peddlers and stores, f. o. b. buyers' trucks at bagger's yard, and sales delivered to retail stores, of items the maximum price for which per unit ends in a half-cent, the total amount charged shall be adjusted to the next lower cent if an odd number of units is sold.
- (b) In all other sales of items for which the maximum price per unit ends in a half-cent, including the sale of a single unit, the total amount charged may be adjusted to the next higher cent if an odd number of units is sold; Provided, however, That the seller shall allow the purchaser to buy an even number of units to the extent that the available supply is adequate.
- 4. The following paragraph (1) is added:
- (1) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

Note: The reporting and record keeping provisions of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 1 to Order No. G-12 shall become effective November 29, 1943

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of November 1943.

K. B. Backman,

Regional Administrator.

[F. R. Doc. 43-19860; Filed, December 13, 1943; 11:43 a. m.]

[Region I Order G-13 Under RMPR 122, Amdt. 1]

SOLID FUELS IN LYNN-SALEM AREA

Amendment No. 1 to Order No. G-13 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lynn-Salem area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.-260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-13 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b) those portions of Price Schedule I which set forth maximum prices for Pennsylvania anthracite are amended to read as follows:

Kind and size	Per net ton	ton	½ ton	100 lbs.
Pennsylvania Anthracite (except egg, stove and chestnut sizes of Jeddo Highland and Red Asb); Broken, egg, stove, and chestnut. Pea. Buckwheat Rice Yard screenings Jeddo Highland egg, stove and chestnut. Red Ash: Egg. Stove Chestnut	\$16, 50 14, 70 13, 05 11, 95 6, 00 17, 00 17, 50 17, 75 17, 25	\$9.00 8.10 7.30 6.75 9.25 9.50 9.65 9.40	\$4.90 4.45 4.00 3.75 5.00 5.15 5.20 5.05	\$1.05 .95 .85 .80 1.05

2. In subparagraph (1) of paragraph (c) those portions of Price Schedule II which set forth maximum prices for Pennsylvania anthracite are amended to read as follows:

Kind and size	Per net ton	ton	1/4 ton	100 lbs.
Pennsylvania anthracite (except erg, stove and chestnut sizes of Jeddo Highlandand Red Ash): Broken, erg, stove and				,
chestnut	\$15,00	\$7.85	\$3.95	\$0.85
Pea	13. 20	6.85	3.45	.75
Buckwheat	11,55	6.05		.65
Rice	10.45	5.50	2.75	.60
Yard Screenings	4.50	l		l
Jeddo Highland, egg, stove	1		`	
and chestnut	15.50	8.10	4.05	.85
Red Ash:				
Egg.	16.00	8.35	4, 20	.85
Stove	16. 25	8.35	4, 20	.85
Chestnut	15.75	8.10	4.05	85
VACUUT		~~~	l **	ı
			<u> </u>	<u>'</u>

- 3. The following new paragraph (1) is added:
- (1) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

Note: The reporting and record keeping provisions of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 1 to Order No. G-13 shall become effective November 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of November 1943. K. B. BACKMAN, Regional Administrator.

[F. R. Doc. 43-19861; Filed, December 13, 1943; 11:44 a. m.]

[Region I Order G-14 under RMPR 123, Amdt. 2]

SOLID FUELS IN LOWELL, MASS., AREA

Amendment No. 2 to Order No. G-14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lowell, Massachusetts area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-14 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b), those portions of Price Schedule I which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per	1/1	1/2	10)
	net ton	ton	ton	103
Pennsylvania anthracito (except Jeddo High- land and Red Ash in sizes specified below): Broken ,egg, stove and chestnut. Pea. Buckwheat Rice Yard screenings Red Ash: Stove. Chestnut. Jeddo Highland: Egg, stove and chestnut. Pea. Buckwheat	\$16, 75 15, 20 13, 05 11, 05 5, 00 17, 95 17, 55 17, 25 16, 45 13, 30	\$3,65 7,85 6,80 6,25 9,05 8,90 8,90	\$1.85 3.95 3.40 3.15 4.65 4.65 4.65 8.60	\$0.05 .70 .70 1.60 .90 .90

2. In subparagraph (1) of paragraph (c), those portions of Price Schedule II which set forth maximum prices for

Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per net ton	35 ton	14 ton	100 lbs.
Pennsylvania anthracite (except Jeddo Highland and Red Ash in sizes specified below): Broken, egg, stove and chestnut	14.29 12.05 10.95 16.95 16.55	\$3.15 7.35 6.30 5.75 8.75 8.55 8.40 7.540	\$4.10 3.70 3.15 2.90 4.40 4.20 4.20 3.75 3.25	88. 88. 88. 88. 88. 88. 88. 88. 88. 88.

3. In subparagraph (1) of paragraph (d), those portions of Price Schedule III which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size

	net ton
Br ken, egg, stove and chestnut	\$12.45
Pez	
Buckwheat	9.25
Rice	8.30
Yard screenings	3.45

- 4. The following paragraph (1) is added:
- (1) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

Note: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Amendment No. 2 to Order No. G-14 shall become effective November 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of November 1943.

K. B. BACKMAN,

Regional Administrator.

[F. R. Doc. 43-19862; Filed, December 13, 1943; 11:43 a. m.]

[Region I Order G-14 Under RMPR 122, Amdt.3]

Solid Fuels, Lowell, Mass., Area

Amendment No. 3 to Order No. G-14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lowell. Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-14 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Paragraph (m) is added, to read as follows:

(m) Price Schedule IV; 25 pound bags of Pennsylvania anthracite. (1) Price Schedule IV sets forth maximum prices (in cents per bag) for sales of Pennsylvania Anthracite in 25 pound paper bags at all levels of distribution in the Lowell, Massachusetts Area.

#### (a) UNIMIXED COAL

,	Chest- nut	Stove	Pea
Eales to dealers and stores, f. o. b. buyer's trucks, at bagger's yard. Sales to utilimate consumer at bagger's yard. Delivered to retail stores. Sales to utilimate consumers from dealer's truck. Sales at retail stores. Chain stores. Independent cutlet.	គ នៅ ព ឧ	ន នានី ន នង	19 88.5 21 24 22

# (b) Mixtures (1975 of Each by Weisho

• .	Chect- nut and etovo	Chest-	Steve and res
Eales to dealers and cteres, - f. o. b. buyer's trucks, at bagger's yand. Sales to ultimate consumers at bagger's yard. Delivered to retail stores. Sales to ultimate consumers from dealer's truck. Eales at retail stores: Chain stores. Independent cutlet.	ន នេះ នេះ	19 21.5 21 21 21	19 21 21.5 24 25 25

- (2) Terms of sale. Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days, or net 10 days E. O. M.
- 2. Paragraph (n) is added, to read as follows:
- (n) Price Schedule V: One-half bushel bags of coke. (1) Price Schedule V sets forth maximum prices (in cents per bag) for sales of coke in paper bags containing one-half bushel each.

	Chart- nut coko	Pea coke
Eales to dealers and stores at bogger's yard Sales to ultimate concumers at bogger's yard Delivered to retail stores. Sales to ultimate consumers from dealer's truck. Sales at retail stores. Chain stores. Independent outlet.	19.5 69.5 21.5 21.5 21.5	10.1 18.1 19 21.1 22.1

(2) Terms of sale. Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days, or net 10 days, E. O. M.

- 3. Paragraph (o) is added, to read as follows:
- (o) Fractions of a cent. Whenever a price established by paragraph (m) or paragraph (n) ends in one-half cent, the fraction shall be treated as follows:

(1) In the case of sales to dealers and stores, f. o. b. buyer's trucks, at bagger's yard, and sales delivered to retail stores, the total amount charged shall be adjusted to the next lower cent if an odd number of units is sold.

(2) In all other sales, including the sale of a single unit, the total amount charged may be adjusted to the next higher cent if an odd number of units is sold, *Provided*, *however*, That the seller shall allow the purchaser to buy an even number of units to the extent that the available supply is adequate.

- 4. Subparagraphs (12) (13), (14), (15) and (16) are added to paragraph (g), to read as follows:
- (g) Definitions. When used in this Order No. G-14, the term: \* \* \*
- (12) "Coke" shall include only coke produced by the following producers: New England Coke Co., or its affiliated producing company, at their plant located in Everett, Massachusetts; Lowell Gas Light Co.; Lynn Gas and Electric Co.; Salem Gas Light Co.

All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

(13) "Bagger" means a dealer who bags coke in one-half bushel paper bags, or who bags Pennsylvania Anthracite in paper bags containing 25 pounds each, or who purchases such solid fuels, so bagged, from a producer or distributor thereof or from another dealer who has so bagged them.

(14) "Chain store" means a retail outlet which is a unit of four or more retail outlets under one ownership.

(15) "Independent outlet" means a retail outlet which is not a unit of four or more retail outlets under one ownership.

(16) "Truck" shall include a wagon or other vehicle used for the carriage and distribution of the solid fuels which are the subject of this order.

- Subparagraph (4) is added to paragraph (i), to read as follows:
- (4) Each dealer shall furnish a copy of Amendment No. 3 to this Order No. G-14 to each buyer, except ultimate consumers, at the time of the first sale to such buyer of bagged anthracite or coke under paragraph (m) or (n) of this order, and shall similarly furnish to such buyers copies of any future amendments which in any way change or affect the prices established by those paragraphs.

This Amendment No. 3 to Order No. G-14 shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of December 1943. K. B. BACKMAN,

Regional Administrator.

[F. R. Doc. 43-19363; Filed, December 13, 1943; 11:43 a. m.]

No. 248---6

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[Region I Order G-15 Under RMPR 122, Amdt, 1]

SOLID FUELS, MANCHESTER, N. H., AREA

Amendment No. 1 to Order No. G-15 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Manchester, New Hampshire, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-15 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b), those portions of Price Schedule I which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per' net ton	½ ton	1⁄4 ton	100 lbs.
Pennsylvania anthracite: Broken, egg, stove and chestnut. Pea. Buckwheat. Rice. Yard screenings.	\$17.75 16.20 14.05 12.45 4.57	\$9, 40 8, 60 7, 55 6, 75	\$4.70 4.30 8.80 3.40	\$1:00 .90 .80 .70

2. In subparagraph (1) of paragraph (c), those portions of Price Schedule II which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per net ton	1⁄2 ton	1⁄4 ton	100 lbs.
Pennsylvania anthracite: Broken, egg, stove and chestnut	\$15.75 14.20 12.05 10.45	\$7. 90 7. 10 6. 05 8. 25	\$3. 95 3. 55 3. 05 2. 65	\$0.85 .75 .65

3. In subparagraph (1) of paragraph (d), those portions of Price Schedule III which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per net ton	ton	½ ton	100 lbs.
Pennsylvania Anthracite: Broken, egg, stovo and chestnut. Pea. Buckwheat. Rice.	\$15. 25 13. 70 11. 55 9. 95	\$7.65 6.85 5.80 5.00	\$3.85 3.45 2.90 2.50	

4. The second sentence of paragraph (f) is amended by adding an exception thereto, so that said sentence shall read as follows:

The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the Manchester, New Hampshire Area, regardless of whether the dealer is located within the area, except that the maximum delivered price for yard screenings

of Pennsylvania Anthracite set forth in paragraph (b) of this order shall apply only to those yard screenings which are the result of the screening of Pennsylvania Anthracite at yards which are located within the Area.

5. The following new paragraph (1) is added:

(1) Records. Every person making a sale of solid fuel for which a maximum price, is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

This Amendment No. 1 to Order No. G-15 shall become effective November 29, 1943.

Note: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F. R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of November 1943.

K. B. BACKMAN,

Regional Administrator.

[F. R. Doc. 43-19853; Filed, December 13, 1943; 11:44 a. m.]

[Region I Order G-15 Under RMPR 122, Amdt. 2]

Bagged Anthracite Coal, Manchester, N. H., Area

Amendment No. 2 to Order No. G-15 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bagged anthracite coal—Manchester, New Hampshire area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (1) of paragraph (g) of Region I Order No. G-15 under Revised Maximum Price Regulation No. 122 is hereby amended to read as follows:

(1) Manchester, New Hampshire Area shall include the following cities and towns in the State of New Hampshire: Auburn, Bedford, Candia, Chester, Goffstown, Hooksett, Londonderry, Manchester and Raymond.

This Amendment No. 2 to Order No. G-15 shall become effective December 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of December 1943.

GORDON K. CREIGHTON,

Acting Regional Administrator.

[F. R. Doc. 43-19854; Filed, December 13, 1943; 11:44 a. m.]

[Region I Order G-16 Under RMPR 122, Amdt. 1]

SOLID FUELS, BROCKTON, MASS., AREA

Amendment No. 1 to Order No. G-16 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels—Brockton, Massachusetts Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by \$1340.260 of Revised Maximum Price Regulation No. 122, Region I, Order No. G-16 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b), those portions of Price Schedule I which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per net ton	1/2 ton	1/2 ton	100 1bs.
Pennsylvania anthracite (except Red ash and Jeddo Highland in sizes specified below): Broken, cgg, stove and				
chestnut		\$9.15	\$4.85	\$1.00
Pea Buckwheat	15.00 13.55	8,00 7,30	4.25 3.90	.80 .80
Rice	11.45	0.25	8.40	70
Yard screenings-domes-	21, 30	V. 20	04.40	• • •
tio consumers	7.00	1	1	ŀ
Yard screenings—all other	""		*****	
consumers.	8,00			
Red ash:	1 000			
Broken and chestnut	18, 25	9.05	E. 10	1.03
Egg	18.75	9.80	t. 20	1.03
Stove		10.10	5. 20	1,10
Jeddo Highland:			****	
Egg, stove and chestnut	17.50	9, 25	4, 90	1.00
Pea	15.25	8.15	4.35	.90
Buckwheat	13, 80	7.40	8.95	80
	<u> </u>			

2. In subparagraph (1) of paragraph (c), those portions of Price Schedule II which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per net ton	3/2 ton	ton	163.
Pennsylvania anthracito (except red ash and Jeddo Highland in sizes specified below): Broken, egg, stove and chestnut	\$15, 25 13, 00 11, 55 5, 00 16, 25 16, 75 17, 15 15, 50 13, 25 11, 80	7.00	\$1.85 3.75 3.40 2.90 4.60 4.70 4.80 4.40 3.85 8.46	\$0.90 .80 .70 .60 .95 .95 1.00 .80 .70

3. In subparagraph (1) of paragraph (d), those portions of Price Schedule III which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per net ton	⅓ ton	13/2 ton
Pennsylvania anthracite (except Red ash and Jeddo Highland in sizes specified below): Broken, egg, stove, and chestnut. Péa. Buckwheat. Rice Red ash: Broken and chestnut. Egg. Stove. Jeddo Highland: Egg, stove, and chestnut. Pea. Buckwheat.	\$14.25	\$7.65	\$4.10
	12.00	6.50	3.50
	10.55	5.80	3.50
	8.45	4.75	2.65
	15.75	8.40	4.45
	16.15	8.40	4.45
	14.50	7.75	4.45
	12.25	6.65	4.15
	10.80	5.90	3.00

4. The following paragraph (L) is added:

(L) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

This Amendment No. 1 to Order No. G-16 shall become effective November 29, 1943.

Note: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of November 1943. K. B. Backman, Regional Administrator.

[F. R. Doc. 43–19855; Filed, December 13, 1943; 11:45 a. m.]

[Region I Order G-17 Under RMPR 122, Amdt. 1]

SOLID FUELS, TAUNTON, MASS., AREA

Amendment No. 1 to Order No. G-17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels—Taunton, Massachusetts, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-17 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b), those portions of Price Schedule I which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and eleo	Perpet	35	}{
	ton	ton	ton
Pennsylvania anthracito (except Red Ash and Jeddo Highland in sizes excelled below): Egg and chestout. Stove. Pea. Buckwheat. Rice. Red Ash: Egg Stove. Chestout. Jeddo Highland: Egg and chestout. Stove. Stove.	51111111 5511 116 116111 5511 116 116111 11611 1161	පත පතන පතනය සම පිටස පටන්වස සම	\$1.82 4.24 3.70 3.43 5.00 4.83 4.94

2. In subparagraph (1) of paragraph (c), those portions of Price Schedule II which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per	34	36	100
	net ton	ten	ton	165,
Pennsylvania Anthreeito (except Red Ach and Jeddo Highland in eires specified below): Egg and chestnut Stove. Pea Buckwheat Rice. Red ash: Egg. Stove. Chestnut Jeddo Highland; Egg and chestnut. Stove.	315.25 16.25 16.25 16.25 16.27 16.27 16.27 16.27 16.27 16.27 16.27	5.7.654 5.7.654 6.88 7.7.654 6.88 7.7.654	######################################	89.69 89. 89. 89. 89.

3. In subparagraph (1) of paragraph (d), those portions of Price Schedule III which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Fernet ton	34 ton	1% ton
Pennsylvania anthracite (except red ach and Jeddo highland in fires specified below):  Egg and chestnut.  Stove.  Red ash:  Egg  Stove.  Chestnut.  Jeddo highland:  Egg and chestnut.  Stove.   \$14.00 14.75 14.00 14.00 14.75 14.00	\$7.63 7.49 6.65 4.69 7.75 7.60 7.63	\$3.65 3.65 2.65 2.65 2.65 3.60 3.60 3.60 3.75	

4. The following paragraph (L) is

(L) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

This Amendment No. 1 to Order No. G-17 shall become effective November 29, 1943.

Note: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1842.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of November 1943.

K. B. BACKMAN,

Regional Administrator.

[F.R. Doc. 43-19356; Filed, December 13, 1943; 11:45 a.m.]

[Region I Order G-18 Under RMPR 122, Amdt. 1]

SOLID FUELS, NEW LONDON, CONN., AREA

Amendment No. 1 to Order No. G-18 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels—New London, Connecticut area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-18 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b), those portions of Price Schedule I which set forth maximum prices for Pennsylvania anthracite are amended to read as follows:

	Kind and sizo	Per net ton	½ ton	1/2 ton	100 103.
Buckwheat. 12.55 6.55 3.55 7.7 Rice 11.70 6.10 3.20 7.7 Ucido Hibilari: Egr, stove and chestnut. 17.25 8.50 4.70 1.06 Pca. 15.45 8.60 4.25	feiert Jeddo Mighland in the sizes specified below; Broken, ezg, stove and chectnut. Pea. Buckwheat Rice Joilo Highland: Egg, stove and chestnut. Pea.	SIG. 73 15, 20 12, 53 11, 70 17, 23 15, 43	7.85 6.85 6.10 8.90 8.00	4.20 3.55 3.30 4.70 4.25	\$1.00 -77 -70 1.00 -94 -73

2. In subparagraph (1) of paragraph (c), those portions of Price Schedule II which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per act ton	½ ton	ton.	100 les.
Fenrylven's enthrecite (except Jeddo Highland in the class erecified below): Breken, egg, etovo and chestnut. Pea. Buckwheat Rise. Jeddo Highland: Egg, stovo and chestnut. Pea. Buckwheat	\$15.75 14.20 11.55 10.70 16.25 14.45 11.80	7.33	\$4.75 3.70 3.70 3.445 4.45 3.35	\$0.90 .80 .70 .65 .93 .83

- 3. Subparagraph (1) of paragraph (f) is amended to read as follows:
- (1) "New London, Connecticut Area" shall include the following cities and towns in the State of Connecticut: Groton, East Lyme, Ledyard, Montville, New London, North Stonington, Stonington and Waterford.
- 4. The following paragraph (k) is added:
- (k) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

This Amendment No. 1 to Order No. G-18 shall become effective November 29, 1943.

NOTE: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of November 1943.

K. B. BACKMAN, Regional Administrator.

[F. R. Doc. 43-19857; Filed, December 13, 1943; 11:45 a. m.]

[Region I Order G-19 Under RMPR 122, Amdt. 1]

Specified Solid Fuels in Concord, N. H.,
Area

Amendment No. 1 to Order No. G-19 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reason set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.—260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-19 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b), the portions of Price Schedule I which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per	½	1/4	100
	net ton	ton	ton	lbs.
Pennsylvania anthracite (except Red Ash Chest- nut): Egg, stove and chestnut_ Pea. Buckwheat_ Rice_ Red Ash: Chestnut_	\$17. 70 16. 20 13. 35 12. 25 18. 45	\$9.35 8.60 7.20 6.65 9.75	\$4. 95 4. 55 3. 85 3, 60 5. 15	\$1.00 .95 .80 .75

2. In subparagraph (1) of paragraph (c), those portions of Price Schedule II which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per	½	½	100
	net ton	ton	ton	1bs.
Pennsylvania anthracite (except red ash chest- nut): Egg, stove and chestnut Pea Buckwheat Rice Screenings Red ash: Chestnut	\$17. 20 15. 70 12. 85 11. 75 4. 50 17. 95	\$8.60 7.85 6.45 5.90 	\$4.30 3.95 3.25 2.95 4.50	\$0.90 .80 .70 .65

3. In subparagraph (1) of paragraph (d), those portions of Price Schedule III which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

, Kind and size	Pernet ton	½ ton	34 ton
Pennsylvania anthracite (except red ash chestnut): Egg, Stove and Chestnut Pea. Buckwheat Rice. Screenings. Red ash: Chestnut	\$14.70	\$7.35	\$3.70
	13.20	6.60	3.30
	11.10	5.55	2.80
	10.00	5.00	2.50
	3.50	7.75	3.90

- 4. The following paragraph (1) is added:
- (1) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

This Amendment No. 1 to Order No. G-19 shall become effective November 29, 1943.

Note: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of November 1943. K. B. BACKMAN,

Regional Administrator. )

[F. R. Doc. 43–19871; Filed, December 13, 1943; 11:46 a. m.]

[Region I Order G-20 Under RMPR 122, Amdt. 1]

. BITUMINOUS COAL IN NORTH SHORE AREA

Amendment No. 1 to Order No. G-20 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional

Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-20 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Subparagraph (1) of paragraph (b) is amended to read as follows:

(1) Table of prices, per net ton.

	Classes of purchase		
Kind of coal	Classes AA and A	Olass B	Olusa
Domestic run of mine Straight run of mine Mixed run of mine Mixed run of mine Nut and slack Slack Mixed nut and slack Low volatile pea High volatile modified stoker High volatile unt or pea High volatile gor lump High volatile nut and slack	\$7.00 7.65 7.80 7.40 7.36 7.65 7.65 7.80 7.40 7.85 7.50 7.20	\$8,00 8,65 8,80 8,40 8,50 8,50 8,80 8,80 8,80 8,80 8,80 8,8	\$9, 15 8, 90 9, 03 8, 05 8, 06 8, 75 9, 03 8, 03 9, 10 8, 75 8, 45

- 2. Subparagraph (1) of paragraph (c) is amended to read as follows:
- (1) Table of "Direct Delivery" prices, per net ton.

	Classes of purchasers				
Kind of coal	Cla	ss I		41	
	A de- livery	B de- livery	Olass II	ezalO III	
Domestic run of mine Straight run of mine Mixed run of mine Nut and slack Slack Slack Mixed nut and slack Mixed nut and slack Low volatile pea High volatile modified stoker High volatile nut or pea High volatile nut or pea High volatile nut and slack	11. 95 12. 10 11. 70 11. 65 11. 95 11. 80 12. 10 11. 70 12. 15	\$11.70 11.45 11.00 11.20 11.10 11.45 11.30 11.60	\$10. 65 10. 40 10. 55 10. 16 10. 10 10. 40 10. 25 10. 55 10. 16 10. 60 10. 25	\$10, 40 10, 15 10, 30 9, 80 10, 15 10, 00 10, 39 10, 31 10, 00	

- 3. The present text after the title of paragraph (i) is designated subparagraph (a), the present subparagraphs (i) (a) and (b) are redesignated (i) (a) (i) and (ii), respectively, and a new subparagraph (i) (b) is added to read as follows:
- (b) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

This Amendment No. 1 to Order No. G-20 shall become effective November 30, 1943.

Note: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 30th day of November 1943. K. B. Backman, Regional Administrator.

[F. R. Doc. 43-19872; Filed, December 13, 1943; 11:46 a. m.]

[Region I Order G-21 Under RMPR 122, Amdt. 1]

Specified Solid Fuels in Nashua, N. H.,
Area

Amendment No. 1 to Order No. G-21 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-21 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b), those portions of Price Schedule I which set forth maximum prices for Pennsylvania anthracite are amended to read as follows:

Kind and size	Per net ton	½ ton	ton	100 bs.
Pennsylvania anthracite (except egg, stove, and chestnut sizes of Jeddo Highland): Egg, stove, and chestnut Pea Buckwheat Rice. Yard screenings. Jeddo Highland: Egg, stove, and chestnut	\$16.50 14.70 12.55 11.45 4.57 17.00	\$8,50 7,60 6,55 6,00 8,75	\$4.40 3.95 3.40 3.15 4.50	8. 8. 8. 8.

2. In subparagraph (1) of paragraph (c), those portions of Price Schedule II which set forth maximum prices for Pennsylvania anthracite are amended to read as follows:

Kind and size	Per net ton	ton	16 ton	100 1bs.
Pennsylvania anthracite, except egg, stove, and chestnut sizes of Jeddo Highland: Egg, stove, and chestnut. Pea. Buckwheat Rice. Jeddo Highland: Egg, stove, and chestnut.	\$15, 50 13, 70 11, 55 10, 45 16, 60	\$8.00 7.10 6.05 5.50 8.25	\$4.15 3.70 3.15 2.90 4.25	\$0.85 .75 .63 .60

3. The following paragraph (1) is added:

(1) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

This Amendment No. 1 to Order No. G-21 shall become effective November 29, 1943.

Note: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of November 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-19873; Filed, December 13, 1943; 11:46 a. m.]

[Region I Order G-22 Under RMPR 122, Amdt.1]

Specified Solid Fuels in Worcester, Mass., Area

Amendment No. 1 to Order No. G-22 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-22 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b), those portions of Price Schedule I which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Pcr	1/2	ion	190
	nct ton	ton	ion	Re.
Pennsylvania anthracite, except egg, stove, and chestmut sizes of Jeddo Highland: Broken, egg, stove, and chestmut Pea Buckwheat Rice Jeddo Highland: Egg, stove, and chestmut.	\$16.85 15.65 13.69 11.75 17.19	7.29	84303 4003 400	\$1.69 .69 .53 .73

2. In subparagraph (1) of paragraph (c), those portions of Price Schedule II which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per	32	!4	100
	act ton	ten	ten	163.
Pennsylvania anthracite except cgg, stove, and chestnut sizes of Jeddo Highland: Broken, cgg, stove, and chestnut. Pea. Buckwheat Rica Jeddo Highland: Egg, stove, and chestnut.	\$15.35 13.75 11.50 10.25 15.60	57.70 6.09 6.75 6.15 7.89	සුදුලල සුදුලල ල	. 63. 63. 63. 63. 63. 63. 63.

3. In subparagraph (1) of paragraph (d), those portions of Price Schedule

III which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kin1 and cize	Por net ton	1½ ton	3% ton
Pennsylvania anthracite (ex- cepters, staveand chectuut checken, ess, ctove and chect- nut. Pea. Buckwheat. Rice. Jeddo Highland: Egg, ctove and chectuut.	\$14.35 12.75 11.00 9.75 14.60	\$7.20 6.49 5.50 4.60 7.30	\$3.60 3.20 2.75 2.45 3.65

4. The following paragraph (1) is added:

(1) Records. Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

This Amendment No. 1 to Order No. G-22 shall become effective November 29, 1943.

Note: The reporting and record Leeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1842.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of November 1943.

K. B. Backman,

Regional Administrator.

[F.R.Doc. 43-19374; Filed, December 13, 1943; 11:47 a.m.]

[Region I Order G-23 Under RMPR 122, Amdt. 1]

SOLID FUELS IN STOUGHTON, MASS.

Amendment No. 1 to Order No. G-23 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-23 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b), those portions of Price Schedule I which set forth maximum prices for Pennsylvania anthracite are amended to read as follows:

Kind and size	Per net ton	ton	toa	100 lbs.
Pennsylvania anthracite (except broken, egg, stove and chestnut sizes of red ash): Broken, egg, stove and chestnut Pea. Buckwheat Rice Red ash: Broken, egg and chestnut. Stove	\$16.20 14.70 12.85 11.90 16.70 17.20	\$8. 10 7. 35 6. 45 5. 95 8. 35 8. 60	\$4.30 3.95 3.45 3.25 4.45 4.55	\$0.95 .90 .80 .75

2. In subparagraph (1) of paragraph (c), those portions of Price Schedule II which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per	½	1/4	100
	net ton	ton	ton	lbs.
Pennsylvania anthracite (except broken, egg, stove and chestnut sizes of red ash): Broken, egg, stove and chestnut. Pen. Buckwheat. Rico. Red ash: Broken, egg and chestnut. Stove.	13. 20 11. 35 10. 40	\$7.35 6.60 5.70 5.20 7.60 7.85	\$3. 95 3. 55 3. 10 2. 85 4. 05 4. 20	\$0.90 .80 .75 .70 .95

3. In subparagraph (1) of paragraph (d), those portions of Price Schedule III which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per net ton	½ ton	1/2 ton
Pennsylvania anthracite (except broken, egg, stove and chestnut sizes of red ash): Broken, egg, stove and chestnut.  Pea.  Buckwheat Rice. Red ash: Broken, egg and chestnut. Stove.	\$13, 70	\$6.85	\$3.70
	12, 20	6.10	3.30
	10, 35	5.20	2.85
	9, 40	4.70	2.60
	14, 20	7.10	3.80
	-14, 70	7.35	3.95

4. The following paragraph (1) is added:

(1) Records. Every person making a sale of solid fuel for which a maximum price is set by this order, shall keep arecord thereof showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

This Amendment No. 1 to Order No. G-23 shall become effective November 29,

Note: The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of November 1943. K. B. BACKMAN, Regional Administrator.

[F. R. Doc. 43-19875; Filed, December 13, 1943; 11:47 a. m.]

[Region I Order G-24 Under RMPR 122, Amdt. 1]

SOLID FUELS IN BRIDGEPORT, CONN., AREA

Amendment No. 1 to Order No. G-24 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-24 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (1) of paragraph (b), those portions of Price Schedule I which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per net ton	1½ ton	14 ton	100 lbs.
Pennsylvania anthracite: Broken, egg, stove and chestnut	\$15.70 13.70 11.55 10.45 4.00	\$8. 10 7. 10 6. 05 5. 50	\$4.30 3.80 3.30 3.00	\$1.00 .90 .80 .75

2. In subparagraph (1) of paragraph (c), those portions of Price Schedule II which set forth maximum prices for Pennsylvania Anthracité are amended to read as follows:

					00 inds
Kind and size	Per net ton	1/2 ton	1½ ton	In' paper bags	In bulk or burlap bag
Pennsylvania anthracite: Broken, egg, stove and chestnut	\$14.20 12.20 10.05 8.95 3.00	6. 10 5. 05	3.05 2.55	.70	. 654

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3. In subparagraph (1) of paragraph (d), those portions of Price Schedule III which set forth maximum prices for Pennsylvania Anthracite are amended to read as follows:

Kind and size	Per net ton	Per ½ ton	Per 14 ton
Pennsylvania anthracite: Broken, egg, stove and chestnut. Pea. Buckwheat Rice. Yard screenings.	\$13. 20 11. 20 9. 55 8. 45 3. 00	\$6.60 5.60 4.80 4.25	\$3.30 2.80 2.40 2.15

This Amendment No. 1 to Order No. G-24 shall become effective November 29,

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of November 1943. K. B. BACKMAN, Regional Admnistrator.

[F. R. Doc. 43-19876; Filed, December 13, 1943; 11:47 a. m.]

[Region II Order G-9 Under MPR 122]

ANTHRACITE IN DESIGNATED AREAS OF PENNSYLVANIA

Order No. G-9 under §§ 1340,260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in the County of Chester and designated townships and boroughs in Bucks and Montgomery Counties, Commonwealth of Pennsylvania, Coal Area II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regu-

lation No. 122, it is ordered:

(a) What this order does-(1) Dealers' maximum prices; area covered. If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simple "anthracite") delivered to or at any point in the zones comprising Commonwealth of Pennsylvania-Coal Area II. That area consists of the County of Chester and those portions of Montgomery and Bucks Countles not covered by Order No. G-7, Commonwealth of Pennsylvania-Coal Area I. The area subject to this Order No. G-9 consists of six zones as follows:

Zone 1: The Boroughs of Bristol, Langhorne, Langhorne Manor, South Langhorne, Hulmeville, Newtown, Tullytown, and the Townships of Bensalem, Bristol, Middletown,

Newtown, in Bucks County.

The Boroughs of Hatfield, Lansdale, North Wales, Norristown, Bridgeport, Conshohocken, West Consholocken, and the Townships of Hatfield, Towamencin, Worcester, Upper Gwynnedd, East Norriton, West Norriton, Upper Merion, Plymouth and Montgomery, in Montgomery County.

The Boroughs of West Chester, Malvern, Downingtown, Kennett Square, Avondale, West Grove, Oxford, and the Townships of Pennsbury, Birmingham, Thornbury, Westtown, West Goshen, East Goshen, Willistown, Easttown, Tredyffrin, East Whiteland, West Whiteland, West Pikeland, Uwchlan, Upper Tyrchlan, West Pikeland, Tyrchland, Tyrchland Uwchlan, Wallace, East Brandywine, Cain, East Cain, West Bradford, East Brandord, Pocopson, Newlin, East Mariboro, West Mariboro, Kennett, New Garden, London Britain, Franklin, London Grove, New London, Penn, Londonderry, Upper Oxford, Lower Oxford, East Nottingham, Elk, West Nottingham, and West Brandywine, in Chester County. Zone 2: The Boroughs of Morrisville and Yardley, and the Townships of Falls and

Lower Makefield, in Bucks County.

Zone 3: The Boroughs of New Hope, Doylestown, New Britain and Chalfont, and the Townships of Wrightstown, Upper Makefield, Buckingham, Solebury, Warrington, Doyles-town, New Britain, Plumstead, in Bucks

Zone 4: The Boroughs of Silverdale, Dublin, Perkasie, Sellersville, and Telford, and the Townships of Hilltown, Bedminster, Tinicum, West Rockhill, and East Rockhill, in Bucks

County.
The Boroughs of Souderton, Telford,
Schwenksville, Collegeville, Trappe, Royersford, Pottstown, and the Townships of Fran-conia, Lower Salford, Skippack, Perkiomon, Lower Providence, Upper Providence, Limerick, New Hanover, Douglas, Lower Pottsgrove,

Upper Pottsgrove, and West Pottsgrove, in

Montgomery County.

The Boroughs of Phoenixville, Spring City, and the Townships of Schuylkill, Charlestown, East Pikeland, East Vincent, West Vincent, East Coventry, North Coventry, and South Coventry, in Chester County. Zone 5: The Boroughs of Trumbauersville,

Quakertown, Richlandtown and Riegelsville, and the Townships of Milford, Richland, Haycock, Springfield, Nockamixon, Bridgeton, and Durham, in Bucks County.

The Boroughs of Green Lane, Red Hill, Pennsburg and East Greenville, and the Townships of Salford, Upper Salford, Lower Frederick, Upper Frederick, Marlboro, Upper Hanover, in Montgomery County.

The Boroughs of Atglen, Honeybrook, Elverson, and Parkesburg, and the Townships of West Fallowfield, Sadsbury, West Sadsbury, West Caln, Honeybrook, West Nantmeal, East Nantmeal and Warwick, in Chester County.

Zone 6: The City of Coatesville, and the Boroughs of South Coatesville, Paperville, and . , the Townships of East Fallowfield, Valley and Highland, in Chester County.

(2) Schedules of prices, charges and discounts. The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1, 2, 3, 4, 5, and 6 are set forth in Schedules I, II, III, IV, V and VI respectively.

(3) To what sales this order applies. If you are a dealer in anthracite you are bound by the prices, charges, and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2,

3, 4, 5 and 6.

You shall determine the maximum price for "direct delivery" sales, as hereinafter defined, by reference to the appropriate Schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the six zones.

You shall determine your maximum. price for a "yard" sale, as hereinafter defined by reference to the appropriate Schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) What this order prohibits. Regardless of any contract or other obliga-

tions, you shall not:

- (1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.
- (2) Obtain any price higher than the applicable maximum price by:
- (i) Changing the discounts authorized herein, or
- (ii) Charging for any service which is not expressly requested by the buyer,
- (iii) Charging for any service for which a charge is not specifically authorized by this order, or
- (iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or in-

directly.

(c) How to compute maximum prices. You must figure your maximum price as follows:

(1) Use the schedule which covers your sale. Schedule 1 contains a separate table of prices for "direct-deliv-ery" sales and "yard sales" within Zone You will find Schedule I in paragraph (d). In like manner, Schedules II, III, IV, V and VI contain separate tables of prices for similar sales in Zones 2, 3, 4, 5, and 6, respectively. You will find Sched-ule II in paragraph (e), Schedule III in paragraph (f), Schedule IV in paragraph (g), Schedule V in paragraph (h), and Schedule VI in paragraph (i).

(2) Take the dollars-and-cents figure given in the applicable table of the applicable schedule, for the sizes and quan-

tity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. only authorized service charges are those provided for in the schedules.

(5) If you deliver a fraction of a net ton, even if less than one-half ton, and the applicable schedule does not provide a discount on the basis of the tonnage sold, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton and 13¢ for onequarter of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule does not provide a service charge on the basis of the tonnage sold, you shall add no more than a proportionate service charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 50¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) Schedule I. Schedule I establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone I. There is a separate table of prices for "Direct-Delivery" sales and "Yard Sales."

(I) SALES ON A "DIRECT-DELIVERY" BASIS For cales of anthracite of the cizes and in the quantities croaded.

Size	Pernet ton	Per not ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/2 ton)	Per 50- pound paper bag
Breken, ezz, etsve. nut. Pea. Buskwheat. Hisp. Buskey. Execuings.	\$13.30 11.70 10.00 8.93 7.70 3.63	\$5.90 6.10 5.23 4.75 4.03 2.00	\$0.80 .70 .60 .55	\$0.475 .425

Required Discounts

You shall deduct from the prices set forth in Table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net 1/2 ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings. to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period

of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one

You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelve-month period.

Maximum Authorized Scruice Charges

Special cervice, rendered at the request of the purchaser: Cents per net ton "Carry" or "wheel" (except for sales amounting to less than 1/2 ton)\_\_\_\_\_Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than ½ ton). This charge shall be in addition to any charge for "carry" or "wheel"\_\_\_\_ 50

# (2) YARD SALES

Fer cales of authrealte of the sizes and in the quantities specified.

Sizo	Per net ton for calm of 1/2 ten or more	Per 100 pounds for 100 pounds or more, but less than 1/2 ton	Per 50 pound paper bag
Broken, ezg, stove, nut. Pen Buskuhent Blee Bulsy Screenings	\$11.13 9.60 8.20 7.23 6.00 2.20	\$9.75 .63 .55 .60	\$0.425 .395

(e) Schedule II. Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales, "yard sales," and "sales of bagged coal."

(1) SALES ON A "DIRECT-DELIVERY" BASIS For sales of anthracite of the sizes and in the

quantities specified.			
Size	Per net ton	Per net ½ ton	Per 100 pounds (for sales of 100 pounds or more, but less than ½ ton)
Broken, egg, stove, nutPeaBuckwheat.Rice.BarleyScreenings.	\$13.75 12.45 10.55 8.95 8.10 3.95	\$7.40 6.75 5.80 5.00 4.55 2.00	\$0.80 .70 .65

### Required Discounts

You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of \$1.00 per net ton and 50¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelve-month period.

Maximum Authorized Service Charges Special service rendered at the request of the purchaser: Cents per net ton "Carry" or "wheel" (except for sales amounting to less than ½ ton)\_\_\_\_ Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than ½ ton). This charge shall be in addition to any charge for "carry" or "wheel"...

(2) YARD SALÉS For sales of anthracite of the sizes and in the quanti-

Size	Per net ton for sales of ½ ton or more	Per 100 pounds for 100 pounds or more, but less than ½ ton
Broken, egg, stove, nut	\$12.75 11.45 9.55 7.95 7.10 2.20	\$0. 70 .60 . 55

# Required Discounts

You shall deduct from the prices set forth in table (2) of this schedule, on all sizes except screenings, a discount of \$1.00 per net-ton and 50¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

(3) "Sales of Bagged Coal" (Maximum Prices per BAO)

Maximum price per 50 pound paper bag

Gt		ered at 's yard	Deliv- ered to	Sales to ulti-	
Sizo -	To dealers	To consumers	retail	mate con- sumer	
Nut Pea	\$0.37 .32	\$0.42 .37	\$0.42 .37	\$0.47 .42	
- Maximum pri	ce per 25	pound p	aper bag	;	
Nut	80.19	SO. 21	\$0.21	\$0.26	

(f) Schedule III. Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales and "Yard Sales".

(1) SALES ON A "DIRECT-DELIVERY" BASIS For sales of anthracite of the sizes and in the quantities specified.

Size	Pernet ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)	Per 50- pound paper bag
Broken, egg, stove, nut	\$14.00 12.45 10.80 9.95 8.05 3.95	\$7. 25 6. 50 5. 65 5. 25 4. 30 2. 00	\$0.75 .65 .60 .55	\$0.475 .425

# Required Discounts

You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of \$1.00 per net ton and 50¢ per net 1/2 ton, where payment is made cash on delivery. For payment within five days after delivery the discount shall be 50¢ per net ton and 25¢ per net ½ ton.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order. or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every

subsequent delivery during the same twelve-month period.

Maximum Authorized Service Charges Special service rendered at the request of

the purchaser: Cents per not ton "Carry" or "wheel" (except for sales amounting to less than ½ ton)\_\_\_\_\_Carrying upstairs, for each floor above amounting to less than ½ ton). This charge shall be in addition to any charge for "carry" or "wheel"\_\_\_

#### (2) YARD SALES

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For sales of anthracite of the sizes and in the quantities

Sizo	Per net ton for sales of 1/2 ton or more	Per 100 pounds for 100 pounds or more, but less than 1/2 ton	Per 104 pound paper bag
Broken, egg, stove, nut Pea Buckwheat Rice Barley Screenings	\$12. 60 10. 95 9. 30 8. 45 6. 55 2. 20	\$0.70 .60 .55 .60	\$0,425 .895

(g) Schedule IV. Schedule IV establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 4. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) Sales on a "Direct-Delivery Basis"

For sales of anthracite of the sizes and in the quantities

Sizo	Per net ton	Per net ½-ton	Per 100 pounds for sales of 100 pounds or more, but less than 1/2 ton	Per 60- pound paper bag
Broken, egg, stove, nut	\$13. 15 11. 50 9. 75 8. 65 7. 40 3. 95	\$6,85 0.00 5,15 4,60 3,95 2,00	\$0.80 .70 .60 .65	\$0, 476 , 425

# Required Discounts

You shall deduct from the prices set forth in Table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this sub-paragraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelve-month period.

Maximum Authorized Service Charges

#### (2) YARD SALES

For sales of anthracite of the sizes and in the quantities specified.

Size	Per net ton for sales of ½ ton or more	Per 100 pounds for 100 pounds or more, but less than ½ ton	Per 50 pound paper bag
Broken, egg, stove, nut Pea	\$11.65 10.00 8.25 7.15 5.90 2.20	\$0.75 .65 .55 .50	\$0.425 .395

(h) Schedule V. Schedule V establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 5. There is a separate table of prices for "direct-delivery" sales and "yard sales."

(I) Sales on a "Direct Deliverr", Basis

For sales of anthracite of the sizes and in the quantities specified.

			· •_	
Size'	Pernet ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than 1/2 ton)	Per 50- pound paper bag
Broken, egg, stove, nut	\$13.00 11.35 9.75 8.65 7.40 3.95	\$6.75 5.95 5.15 4.60 3.95 2.00	\$0.80 .70 .60 .55	\$0.475 .425

# Required Discounts

You shall deduct from the prices set forth in Table (1) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether

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there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton and continue to grant the discount on every subsequent delivery during the same twelve-month period.

Maximum Authorized Service Charges

# (2) YARD SALES

For sales of anthracite of the sizes and in the quantities specified.

Eizo	Per net ton for cales of 14 ton or moro	Per 100 pounds for 100 pounds or more, but less than 32 ton	Per to- pound raper hog
Broken, egg, slove, nut Rea Buckwheat Rica Barley Ecreenings	\$12.00 10.35 8.75 7.65 6.49 2.20	89.78 .63 .63 .63 .69	\$9,425 .\$75

(i) Schedule VI. Schedule VI establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 6. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) Sales on a "Direct-Delivery" Basis

For sales of anthracite of the sizes and in the quantities specified.

Eire	Pernet ten	Per net 35 ton	Fer 100 lbs. (for cales of 100 lbs. or more, but less than 1/2 ton	Fer 10 pound paper bag
Broken, cgg, stove, nut	\$13.50 11.55 0.60 8.50 7.30 3.05	\$3.85 0.15 0.15 4.69 4.09 2.09	88.89 67. 69. 83.	£9, 475 , 423

### Required Discounts

You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months,

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

more for delivery at one point.
You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelve-month period.

Maximum Authorized Service Charges

#### (2) YARD SALES

For cales of anthracite of the sizes and in the quantities specified.

Sizo	Per not ton for sales of 1/2 ton or more	Per 100 pounds for 100 pounds or more, but less than 1/2 ton	Per 50 round paper bag
Broken, egg, etove, nut Pea Buskylbeat Hise Berloy. Sereculags	\$11.70 10.65 8.10 7.60 5.75 2.20	\$9.75 .63 .63 .60	\$0.423 .335

(j) Commingling. If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale, "yard sale" or "sales of bagged coal", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags, in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price, or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(k) Ex Parte 148; freight rate increase. Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(1) Addition of increase in suppliers' maximum prices prohibited. You may not increase the specific maximum prices established by this order to reflect, in

whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(m) Taxes. If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(n) Adjustable pricing. You may not make a price adjustable to a maximum price which will be in effect at some -time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect

at the time of delivery.

(o) Petitions for amendment. person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(p) Right of amendment or revocation. The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision

thereof, at any time.

- (q) Applicability of other regulations. If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspensión.
- (r) Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state sep-

arately each service rendered and the charge made for it.

(s) Posting of maximum prices: Sales slips and receipts. (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(t) Enforcement. (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Con-

trol Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Philadelphia District Office of the Office of Price Administration, or with the price panel of the appropriate War Price and Rationing Board.

(u) Definitions and explanations. When used in this Order No. G-9, the

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and delivery, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser" shall be

construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Com-

monwealth of Pennsylvania.
(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley, and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the Commonwealth of Pennsylvania-Coal Area II with such designstions during December 1941.

(6) "Direct delivery", except with respect to sales in 50 lb. paper bags or 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 50 lb. paper bags or 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the

movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course

of "direct delivery"

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) "Delivered at dealer's yard" as applied to sales of bagged coal, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(10) "Delivered to retail stores" as applied to sales of bagged coal, means deposit in that part of the store designated by the purchaser.

(11) "Sales to ultimate consumer" as applied to bagged coal, means sales by dealers, other than sales at a dealer's yard, whether or not delivered to the consumer's premises.

(12) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(v) Effect of order on Revised Maximum Price Regulation No. 122. This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This order shall become effective November 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of November 1943. DANIEL P. WOOLLEY,

Regional Administrator. [F. R. Doc. 43-19877; Filed, December 13, 1943; 11:41 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Order 51 were filed with the Division of the Federal Register on December 11, 1943.

#### REGION I

Maryland Order No. 12, Amendment No. 1, filed 12:17 p. m.

Detroit Order No. 5, Amendment No. 22, filed 12:16 p. m.

Detroit Order No. 5, Amendment No. 23, filed 12:16 p. m.

#### REGION IV

Roanoke Order No: 10, filed 12:17 p. m.

#### REGION V

Dallas Order No. 10, filed 12:25 p. m.
Dallas Order No. 11, filed 12:26 p. m.
Houston Order No. 10, filed 12:19 p. m.
Houston Order No. 11, filed 12:21 p. m.
Little Rock Order No. 10, filed 12:25 p. m.
Fort Worth Order No. 8, Amendment No. 3, filed 12:16 p. m.

San Antonio Order No. 7, filed 12:19 p. m.

#### REGION VI

Milwaukee Order No. 3, Amendment No. 7, filed 12:21 p. m.

Sioux City Order No. 11, filed 12:25 p. m.

#### REGION VIII

Portland Order No. 10, filed 12:18 p. m. Portland Order No. 10, Amendment No. 1, filed 12:18 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK, Secretary.

[F. R. Doc. 43-19895; Filed, December 13, 1943; 4:11 p. m.]

# WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF IS-SUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS

The War Production Board has issued certain revocation orders revoking special directions dated December 8, 1942, issued in connection with synthetic rubber facil-

ities construction projects to which urgency number listed below was assigned. For the effect of such revocation order the builder and suppliers affected shall refer to the specific order issued to the builder:

Urgency rating number, 47; builder's cerial number, 27350; company, Sharples Chemical Inc.; address, 17168 W. Jefferson Ave., Riverview, Mich.; location of project, Riverview, Mich.

Issued this 13th day of December 1943,
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F.R. Doc. 43-19241; Filed, December 13, 1943; 10:52 a.m.]

### WAR SHIPPING ADMINISTRATION.

"CHAMBERS BROS."

#### NOTICE OF DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17—78th Congress).

Whereas on July 15, 1942, title to the vessel "Chambers Bros." (228149) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17—78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with 'Le Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ewnership of any vessel (the title to which has been requisitioned pursuant to cection 852 of the Merchant Marine Act, 1936, as

amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the Federal Register, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; Provided housever, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. \* \* \* \*; and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances, and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: December 13, 1943.

[SEAL]

E. S. LAND, Administrator.

[F. R. Doc. 43-19307; Filed, December 14, 1943; 9:06 a.m.]